

ONE WHO HELPED

Archie Moore stands high as a boxer in my book—but even higher as a man. He was chosen as "Mr. San Diego" last year by a community grateful to him for taking colored youngsters off the streets and teaching them that earning your way is a far more satisfactory life than looting. Don't call him Uncle Tom, incidentally, to his face. He still has a punch.

I also admire George Schuyler, the famous colored writer it has been my privilege to know for over 30 years. No man has more consistently preached the now-derided "American Way." And if you think I've been rough on the blackmail of "black power," you ought to read Mr. Schuyler on it.

I didn't like the methods of Bugsy Siegel—who was Jewish—any more than those of Dutch Schultz and the Capones—who weren't. Nor do those tactics appeal to me more when they are employed by blacks.

In Washington, for example, colored gangs have suggested to white storekeepers that

they might protect themselves against possible non-violent arson and looting by displaying a lithograph of Dr. King in their windows. The cost is only \$50; and for an additional \$30 a month, they will provide all-year protection. . . . The late Mr. Schultz made a pretty penny by offering similar insurance against "accident" to New York merchants.

I didn't like the Rosenbergs—who were Jewish—spying on us for Russia. Nor did I like the clandestine activities of Alger Hiss—who is gentile.

GREGORY'S LINE

By the same token, I think little of Dick Gregory's talk to the graduating class of Yale early this year: "Henry Ford hired 6000 niggers (sic) in two days. Why do you think he hired them? The fire got too close to the Ford plant. Don't scorch the Mustangs, baby! Do you realize how long it would have taken through peaceful channels to get 6000 black folk hired and through those tests?"

Obviously, those 6000 must have included

many totally unversed in the know-how required to work even on an Edsel. But that doesn't matter, apparently.

And more from that same speech: "We just got an insane law to say you can't burn an American flag. I say, what in the . . . is an American flag but a . . . rag like all the other flags all over the world? I'm not interested in rags."

Dr. Abernathy talks with God—he says—but when he speaks with us mortals, he sounds just like Gregory. "We will raise hell!" he declares, unless Congress gives him what he demands.

I think sadly of Oscar Joel Bryant, the young Negro policeman recently slain here in Los Angeles, shot down by black gunmen while he was trying to prevent a Negro shop from being looted. And it is my belief that the young hero died for America, and that he did more for his country and his race than all the Abernathys, Carmichaels and Gregorys put together.

And if that's bigotry, make the most of it.

SENATE—Wednesday, June 12, 1968

The Senate met at 12 noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of all grace, among Thy manifold gifts to us we rejoice in the sacrament of human friendship and in those who love us and trust us.

Open our eyes, we pray, to simple beauty all around us lest we miss the splendor that is in the commonplace. Open our hearts to the virtues and nobility that even comrades by our side often hide from us, because, alas, we do not try enough to understand them.

Strengthen and refresh us that we may seek Thee eagerly, find Thee surely, and serve Thee faithfully. Keep us at tasks too hard for us that constantly we may be driven to Thee for strength. Set our eyes on far-off goals many of which cannot be reached in our day. Even amid the contentions and confusions of these days keep steady our feet by the assurance that Thou, our God, hast the whole world in Thy hands and that even the gates of hell cannot revoke Thy decree, "Behold I make all things new."

We ask it in the Name that is above every name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, June 11, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution and they were signed by the President pro tempore:

S. 974. An act to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.;

H.R. 17325. An act to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention; and

H.J. Res. 1298. Joint resolution authorizing the National Commission on the Causes and Prevention of Violence to compel the attendance and testimony of witnesses and the production of evidence.

HOUSE BILL REFERRED

The bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order of yesterday, the Chair recognizes the Senator from Maryland [Mr. TYDINGS].

Mr. MANSFIELD. Mr. President, will the Senator from Maryland yield to me briefly?

Mr. TYDINGS. I am happy to yield to the distinguished majority leader.

ORDER FOR RECOGNITION OF SENATOR THURMOND

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from South Carolina [Mr. THURMOND] be allowed to proceed for 20 minutes after the conclusion of the remarks by the distinguished Senator from Maryland [Mr. TYDINGS], in lieu of the time previously allocated to the distinguished Senator from Pennsylvania [Mr. SCOTT].

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR FANNIN TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately after the disposition of the Journal tomorrow, the distinguished Senator from Arizona [Mr. FANNIN] be allowed to proceed for 30 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SENATOR AIKEN SPEAKS ON LAWLESSNESS

Mr. MANSFIELD. Mr. President, a most interesting and worthwhile article appeared in the U.S. News & World Report of June 17, 1968, headed "A Leading Senator Says Law and Order Must Be Restored." The questions were asked of the dean of the Republicans, the sage of the Senate, the senior Senator from Vermont [Mr. AIKEN]. The questions were pertinent; the answers were straightforward and to the point.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A LEADING SENATOR SAYS LAW AND ORDER MUST BE RESTORED

(Why is there now more lawlessness in the U.S., a growing disrespect for law and order? Is there any cure?)

(A New England Senator—Republican George Aiken of Vermont—long a respected voice in Congress in debates on legal and moral issues, has some answers. Senator Aiken spells them out in this interview with "U.S. News & World Report.")

Question. Senator Aiken, is the No. 1 problem before this country the enforcement of law and order?

Answer. I feel that it is, because foreign affairs cannot be handled properly unless law and order are restored in the United States itself.

Question. And what will this call for?

Answer. It calls primarily for enforcement of existing laws on the federal, State and local levels. We have laws enough to control those activities that ought not to be allowed to exist.

Question. Has any one branch of Government been more lax in enforcing laws than another?

Answer. There is a feeling over the country that the courts have been all too lenient with criminals. In many cases I think that they have.

That does not apply to all courts, however. It probably applies to only a small proportion of them, but the result has aroused much political feeling.

Question. Does crime, when not punished severely, tend to be contagious?

Answer. If any group or any individual is permitted to engage in lawlessness, then others are bound to say: "If they can do it, why can't the rest of us do it?"

Lawlessness tends to be very contagious. Only a small percentage of people in Washington condoned rioting this spring, but, once it started, people ordinarily law-abiding joined in.

Question. How far back does this trouble go? Does it start in the home?

Answer. I think there is less attention to very young people in the home than there used to be. That's partly due to the fact that we've had more working mothers in the last few years.

The home is where discipline and respect for law should start.

Question. Lawlessness can spring, then, from a breakdown in the family unit—

Answer. Yes. I think that what is happening is a natural sequence to breaking up the family—perhaps the wife working in one place, the husband working in another, and the children not being properly looked after.

Question. Is it time now to call a halt to tolerance of crime?

Answer. Now is a little too late. This wave of lawlessness started some time ago. But action is better late than never. This wave of sympathy for criminals, giving them all the breaks, has been more prevalent in the last few years.

Question. Is the need for more money?

Answer. Money alone cannot do this. Money, though, is important. So is legislation. But legislation and money must be backed by public opinion and public willingness to support law enforcement.

Question. Firmer punishment, more certain punishment—

Answer. Fewer releases on technicalities of the criminal element, because in almost every case the criminal then goes out and commits another crime.

Answer. Are you saying that there is need for a change of attitude on the part both of people and of authorities?

Answer. Yes. And there has been too much tendency on the part of the public to look to government to solve all their problems—including their morals. You see that in telegrams and letters urging us to pass laws. Many of these people do not even know to what laws they are referring. But they feel that, if only Congress will pass a law, their troubles will be over.

They could not be further from the truth.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

FEDERAL TRADE COMMISSION

The bill clerk read the nomination of A. Everette MacIntyre, of Virginia, to be a member of the Federal Trade Commission.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION AND COAST GUARD

The bill clerk proceeded to read sundry nominations in the Environmental Science Service Administration and the Coast Guard, which had been placed on the Secretary's desk.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. LONG of Louisiana, from the Committee on Finance:

Pardo Frederick DelliQuadri, of Hawaii, to be Chief of the Children's Bureau, Department of Health, Education, and Welfare; and

Alice M. Rivlin, of the District of Columbia, to be an Assistant Secretary of Health, Education, and Welfare.

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Warren L. Smith, of Michigan, to be a member of the Council of Economic Advisers.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 1156 and the succeeding measures in sequence.

The PRESIDENT pro tempore (Mr. TALMADGE in the chair). Without objection, it is so ordered.

CORRECTION OF CANAL ZONE CODE

The bill (H.R. 13439) to correct and improve the Canal Zone Code, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1177), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to correct typographical errors in the text, headings, and section analyses of the Canal Zone Code, which was enacted in 1962, and to amend the listing in title 18 of the United States Code of

the sections that are applicable to the Canal Zone to include additional sections of the Conflict-of-Interest Act.

STATEMENT

This legislation is recommended by the Panama Canal Company.

The Canal Zone Code was completely revised in 1962 and became law by Public Law 87-845. Subsequent to its enactment, it appeared that there were a number of errors therein, chiefly typographical.

The section-by-section analysis of the changes is attached hereto.

The House committee considered the legislation and examined the changes and believes that enactment of this legislation will be helpful in clarifying the intent of a number of sections of the code and, accordingly, recommends its enactment.

GREAT LAKES BASIN COMPACT

The bill (S. 660) granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President. The PRESIDING OFFICER. The bill will be passed over.

Subsequently, the following proceedings were had on this bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1157, S. 660.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 660) granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 3, after the word "given," insert "to the extent and"; in line 4, after the word "to" where it appears the first time, insert "the"; on page 14, after line 7, strike out:

SEC. 2. Nothing contained in this Act or in the compact consented to hereby shall be construed to affect the jurisdiction, powers, or prerogatives of any department, agency, or officer of the United States Government or of any international commission or agency over or in the Great Lakes Basin or any portion thereof, nor shall anything contained herein be construed to establish an international agency or to limit or affect in any way the exercise of the treaty-making power or any other power or right of the United States. In carrying out its functions under this Act the Commission shall be solely a consultative and recommendatory agency which shall cooperate with the agencies of the United States and shall report annually to the Congress and to the President or to any official designated by the President. The consent herein granted does not extend to paragraph B of article II or to paragraphs J and M of article VI of the compact; and consent is granted with respect to paragraph L of article VI of the compact subject to the following conditions: (1) cooperation shall be extended to and carried on with the Government of Canada or any of its subdivisions only through or with the approval of the Department of State; (2) cooperation with an international commission or agency having jurisdiction in the basin shall be extended only through or with the approval of the Department of State; and (3) proposals to

any such international commission or agency shall be submitted only through the Department of State. The consent herein granted is on condition the recommendations under article VI, paragraphs B, G, and J, shall not be made to any foreign government or subdivision thereof and that recommendations to international bodies or agencies shall be made through the Department of State.

SEC. 3. Nothing in this Act shall be construed to limit in any way or to indicate any intention of Congress to either limit or sanction in any way other relations, working arrangements, or agreements of the participating states with each other or with the Provinces of Ontario and Quebec. The effect of this Act shall be limited solely to the functions and procedures of the Great Lakes Commission.

And, in lieu thereof, insert:

SEC. 2. The consent herein granted does not extend to paragraph B of article II or to paragraphs J, K, and M of article VI of the compact, or to other provisions of article VI of the compact which purport to authorize recommendations to, or cooperation with, any foreign or international governments, political subdivisions, agencies or bodies. In carrying out its functions under this Act the Commission shall be solely a consultative and recommendatory agency which will cooperate with the agencies of the United States. It shall furnish to the Congress and to the President, or to any official designated by the President, copies of its reports submitted to the party states pursuant to paragraph O of article IV of the compact.

SEC. 3. Nothing contained in this Act or in the compact consented to hereby shall be construed to affect the jurisdiction, powers, or prerogatives of any department, agency, or officer of the United States Government or of the Great Lakes Basin Committee established under title II of the Water Resources Planning Act, or of any international commission or agency over or in the Great Lakes Basin or any portion thereof, nor shall anything contained herein be construed to establish an international agency or to limit or affect in any way the exercise of the treaty-making power or any other power or right of the United States.

So as to make the bill read:

S. 660

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given, to the extent and subject to the conditions hereinafter set forth, to the Great Lakes Basin Compact which has been entered into by the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin in the form as follows:

"GREAT LAKES BASIN COMPACT"

"The party states solemnly agree:

"ARTICLE I

"The purposes of this compact are, through means of joint or cooperative action:

"1. To promote the orderly, integrated, and comprehensive development, use, and conservation of the water resources of the Great Lakes Basin (hereinafter called the Basin).

"2. To plan for the welfare and development of the water resources of the Basin as a whole as well as for those portions of the Basin which may have problems of special concern.

"3. To make it possible for the states of the Basin and their people to derive the maximum benefit from utilization of public works, in the form of navigational aids or otherwise, which may exist or which may be constructed from time to time.

"4. To advise in securing and maintaining a proper balance among industrial, commercial, agricultural, water supply, residen-

tial, recreational, and other legitimate uses of the water resources of the Basin.

"5. To establish and maintain an inter-governmental agency to the end that the purposes of this compact may be accomplished more effectively.

"ARTICLE II

"A. This compact shall enter into force and become effective and binding when it has been enacted by the legislatures of any four of the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin and thereafter shall enter into force and become effective and binding as to any other of said states when enacted by the legislature thereof.

"B. The Province of Ontario and the Province of Quebec, or either of them, may become states party to this compact by taking such action as their laws and the laws of the Government of Canada may prescribe for adherence thereto. For the purpose of this compact the word 'state' shall be construed to include a Province of Canada.

"ARTICLE III

"The Great Lakes Commission created by Article IV of this compact shall exercise its powers and perform its functions in respect to the Basin which, for the purposes of this compact, shall consist of so much of the following as may be within the party states:

"1. Lakes Erie, Huron, Michigan, Ontario, St. Clair, Superior, and the St. Lawrence River, together with any and all natural or man-made water interconnections between or among them.

"2. All rivers, ponds, lakes, streams, and other watercourses which, in their natural state or in their prevailing conditions, are tributary to Lakes Erie, Huron, Michigan, Ontario, St. Clair, and Superior or any of them or which comprise part of any watershed draining into any of said lakes.

"ARTICLE IV

"A. There is hereby created an agency of the party states to be known as The Great Lakes Commission (hereinafter called the Commission). In that name the Commission may sue and be sued, acquire, hold and convey real and personal property and any interest therein. The Commission shall have a seal with the words 'The Great Lakes Commission' and such other design as it may prescribe engraved thereon by which it shall authenticate its proceedings. Transactions involving real or personal property shall conform to the laws of the state in which the property is located, and the Commission may by by-laws provide for the execution and acknowledgement of all instruments in its behalf.

"B. The Commission shall be composed of not less than three commissioners nor more than five commissioners from each party state designated or appointed in accordance with the law of the state which they represent and serving and subject to removal in accordance with such law.

"C. Each state delegation shall be entitled to three votes in the Commission. The presence of commissioners from a majority of the party states shall constitute a quorum for the transaction of business at any meeting of the Commission. Actions of the Commission shall be by a majority of the votes cast except that any recommendations made pursuant to Article VI of this compact shall require an affirmative vote of not less than a majority of the votes cast from each of a majority of the states present and voting.

"D. The commissioners of any two or more party states may meet separately to consider problems of particular interest to their states, but no action taken at any such meeting shall be deemed an action of the Commission unless and until the Commission shall specifically approve the same.

"E. In the absence of any commissioner, his vote may be cast by another representa-

tive or commissioner of his state provided that said commissioner or other representative casting said vote shall have a written proxy in proper form as may be required by the Commission.

"F. The Commission shall elect annually from among its members a chairman and vice-chairman. The Commission shall appoint an Executive Director who shall also act as secretary-treasurer, and who shall be bonded in such amount as the Commission may require. The Executive Director shall serve at the pleasure of the Commission and at such compensation and under such terms and conditions as may be fixed by it. The Executive Director shall be custodian of the records of the Commission with authority to affix the Commission's official seal and to attest to and certify such records or copies thereof.

"G. The Executive Director, subject to the approval of the Commission in such cases as its by-laws may provide, shall appoint and remove or discharge such personnel as may be necessary for the performance of the Commission's functions. Subject to the aforesaid approval, the Executive Director may fix their compensation, define their duties, and require bonds of such of them as the Commission may designate.

"H. The Executive Director, on behalf of, as trustee for, and with the approval of the Commission, may borrow, accept, or contract for the services of personnel from any state or government or any subdivision or agency thereof, from any inter-governmental agency, or from any institution, person, firm or corporation; and may accept for any of the Commission's purposes and functions under this compact any and all donations, gifts, and grants of money, equipment, supplies, materials, and services from any state or government or any subdivision or agency thereof or inter-governmental agency or from any institution, person, firm or corporation and may receive and utilize the same.

"I. The Commission may establish and maintain one or more offices for the transacting of its business and for such purposes the Executive Director, on behalf of, as trustee for, and with the approval of the Commission, may acquire, hold and dispose of real and personal property necessary to the performance of its functions.

"J. No tax levied or imposed by any party state or any political subdivision thereof shall be deemed to apply to property, transactions, or income of the Commission.

"K. The Commission may adopt, amend and rescind by-laws, rules and regulations for the conduct of its business.

"L. The organization meeting of the Commission shall be held within six months from the effective date of the compact.

"M. The Commission and its Executive Director shall make available to the party states any information within its possession and shall always provide free access to its records by duly authorized representatives of such party states.

"N. The Commission shall keep a written record of its meetings and proceedings and shall annually make a report thereof to be submitted to the duly designated official of each party state.

"O. The Commission shall make and transmit annually to the legislature and Governor of each party state a report covering the activities of the Commission for the preceding year and embodying such recommendations as may have been adopted by the Commission. The Commission may issue such additional reports as it may deem desirable.

"ARTICLE V

"A. The members of the Commission shall serve without compensation, but the expenses of each commissioner shall be met by the state which he represents in accordance with the law of that state. All other expenses incurred by the Commission in the course of

exercising the powers conferred upon it by this compact, unless met in some other manner specifically provided by this compact, shall be paid by the Commission out of its own funds.

"B. The Commission shall submit to the executive head or designated officer of each party state a budget of its estimated expenditures for such period as may be required by the laws of that state for presentation to the legislature thereof.

"C. Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. Detailed commission budgets shall be recommended by a majority of the votes cast, and the costs shall be allocated equitably among the party states in accordance with their respective interests.

"D. The Commission shall not pledge the credit of any party state. The Commission may meet any of its obligations in whole or in part with funds available to it under Article IV (H) of this compact, provided that the Commission takes specific action setting aside such funds prior to the incurring of any obligations to be met in whole or in part in this manner. Except where the Commission makes use of funds available to it under Article IV (H) hereof, the Commission shall not incur any obligations prior to the allotment of funds by the party states adequate to meet the same.

"E. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under the by-laws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

"F. The accounts of the Commission shall be open at any reasonable time for inspection by such agency, representative or representatives of the party states as may be duly constituted for that purpose and by others who may be authorized by the Commission.

"ARTICLE VI

"The Commission shall have power to:

"A. Collect, correlate, interpret, and report on data relating to the water resources and the use thereof in the Basin or any portion thereof.

"B. Recommend methods for the orderly, efficient, and balanced development, use and conservation of the water resources of the Basin or any portion thereof to the party states and to any other governments or agencies having interests in or jurisdiction over the Basin or any portion thereof.

"C. Consider the need for and desirability of public works and improvements relating to the water resources in the Basin or any portion thereof.

"D. Consider means of improving navigation and port facilities in the Basin or any portion thereof.

"E. Consider means of improving and maintaining the fisheries of the Basin or any portion thereof.

"F. Recommend policies relating to water resources including the institution and alteration of flood plain and other zoning laws, ordinances and regulations.

"G. Recommend uniform or other laws, ordinances, or regulations relating to the development, use and conservation of the Basin's water resources to the party states or any of them and to other governments, political subdivisions, agencies or inter-governmental bodies having interests in or jurisdiction sufficient to affect conditions in the Basin or any portion thereof.

"H. Consider and recommend amendments or agreements supplementary to this compact to the party states or any of them,

and assist in the formulation and drafting of such amendments or supplementary agreements.

"I. Prepare and publish reports, bulletins, and publications appropriate to this work and fix reasonable sales prices therefor.

"J. With respect to the water resources of the Basin or any portion thereof, recommend agreements between the governments of the United States and Canada.

"K. Recommend mutual arrangements expressed by concurrent or reciprocal legislation on the part of Congress and the Parliament of Canada including but not limited to such agreements and mutual arrangements as are provided for by Article XIII of the Treaty of 1909 Relating to Boundary Waters and Questions Arising Between the United States and Canada. (Treaty Series, No. 548).

"L. Cooperate with the governments of the United States and of Canada, the party states and any public or private agencies or bodies having interests in or jurisdiction sufficient to affect the Basin or any portion thereof.

"M. At the request of the United States, or in the event that a Province shall be a party state, at the request of the Government of Canada, assist in the negotiation and formulation of any treaty or other mutual arrangement or agreement between the United States and Canada with reference to the Basin or any portion thereof.

"N. Make any recommendation and do all things necessary and proper to carry out the powers conferred upon the Commission by this compact, provided that no action of the Commission shall have the force of law in, or be binding upon, any party state.

"ARTICLE VII

"Each party state agrees to consider the action the Commission recommends in respect to:

"A. Stabilization of lake levels.

"B. Measures for combating pollution, beach erosion, floods and shore inundation.

"C. Uniformity in navigation regulations within the constitutional powers of the states.

"D. Proposed navigation aids and improvements.

"E. Uniformity or effective coordinating action in fishing laws and regulations and cooperative action to eradicate destructive and parasitical forces endangering the fisheries, wildlife and other water resources.

"F. Suitable hydroelectric power developments.

"G. Cooperative programs for control of soil and bank erosion for the general improvement of the Basin.

"H. Diversion of waters from and into the Basin.

"I. Other measures the Commission may recommend to the states pursuant to Article VI of this compact.

"ARTICLE VIII

"This compact shall continue in force and remain binding upon each party state until renounced by the act of the legislature of such state, in such form and manner as it may choose and as may be valid and effective to repeal a statute of said state, provided that such renunciation shall not become effective until six months after notice of such action shall have been officially communicated in writing to the executive head of the other party states.

"ARTICLE IX

"It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States, or in the case of a Province, to the British North America Act of 1867 as amended, or the applicability thereof to any state, agency, person or circumstance is held invalid, the constitution-

ality of the remainder of this compact and the applicability thereof to any state, agency, person or circumstance shall not be affected thereby, provided further that if this compact shall be held contrary to the constitution of the United States, or in the case of a Province, to the British North America Act of 1867 as amended, or of any party state, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters."

SEC. 2. The consent herein granted does not extend to paragraph B of article II or to paragraphs J, K, and M of article VI of the compact, or to other provisions of article VI of the compact which purport to authorize recommendations to, or cooperation with, any foreign or international governments, political subdivisions, agencies or bodies. In carrying out its functions under this Act the Commission shall be solely a consultative and recommendatory agency which will cooperate with the agencies of the United States. It shall furnish to the Congress and to the President, or to any official designated by the President, copies of its reports submitted to the party states pursuant to paragraph O of article IV of the compact.

SEC. 3. Nothing contained in this Act or in the compact consented to hereby shall be construed to affect the jurisdiction, powers, or prerogatives of any department, agency, or officer of the United States Government or of the Great Lakes Basin Committee established under title II of the Water Resources Planning Act, or of any international commission or agency over or in the Great Lakes Basin or any portion thereof, nor shall anything contained herein be construed to establish an international agency or to limit or affect in any way the exercise of the treaty-making power or any other power or right of the United States.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1178), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF AMENDMENTS

The purpose of the amendments is to conform the bills to the suggestions received from interested governmental agencies as set forth in the attachments hereto.

PURPOSE

The purpose of the proposed legislation, as amended, is to grant the consent of Congress, with certain exceptions, to the creation of a Great Lakes Commission. The membership of the commission would comprise representatives of the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin. The commission's powers spelled out in article VI include gathering and publication of information, making recommendations with respect to "the orderly, efficient and balanced development, use and conservation of the water resources of the basin or any portion thereof;" considering the means of improving fisheries and navigation; recommending legislation to the parties to the compact and others; and cooperating with the United States and the State governments and other public bodies.

STATEMENT

Legislation of this nature has been before the Congress for a number of years and was the subject of hearings in the 84th and 85th Congresses. In the 84th Congress, on August

27, 29, and 30, 1956, hearings were held on S. 2688 before a subcommittee of the Foreign Relations Committee of the Senate. As a result of those hearings S. 1416 was introduced in the 85th Congress, reported by the Committee on the Judiciary of the Senate, and passed the Senate. The Senate, including the foregoing, has approved this legislation on two occasions.

On September 21, 1967, Senator Hart introduced a resolution, Senate Concurrent Resolution 45, which was intended to be substituted for S. 660 in reference to congressional consent. Thereafter, on February 7, 1968, representatives of the Great Lakes Commission and interested Government agencies met to discuss Senate Concurrent Resolution 45. At that meeting it was decided that the proper approach was by the way of S. 660, with suggested amendments. An amended bill was prepared and sent to all interested parties for their comments. The present draft of the bill is the result of those suggestions.

The compact, as proposed, has the following history:

The Great Lakes Basin compact was approved and ratified in 1955 by five of the eight Great Lakes States—Illinois, Indiana, Michigan, Minnesota, and Wisconsin. By 1963 the other three States—New York, Ohio, and Pennsylvania—had ratified the compact.

The Great Lakes Commission is the operating entity of the Great Lakes Basin compact, and is wholly supported by the eight member States. This commission has been operating as the advisory and recommendatory agency for the Great Lakes States on regional water resources for more than 11 years. The establishment of this compact and commission has been a pioneer effort in bringing about interstate cooperation and coordination. Indicative of the commission's interests in the whole spectrum of water resources matters are the fields of activity of its five standing committees, entitled, first, "Pollution Control"; second, "Water Resources"; third, "Fisheries and Wildlife"; fourth, "Shoreline Use and Recreation"; and, fifth, "Seaway, Navigation, and Commerce." The commission keeps abreast of developments which affect the Great Lakes region, and initiates or responds to actions which occur or which need to be undertaken.

Throughout the past 11 years the commission, with headquarters in Ann Arbor, has been functioning in its advisory and recommendatory capacities, working on the regional approach to the wise use and conservation of the water and related land resources of the Great Lakes Basin. The commission has been a forerunner in recognizing regional problems and getting those problems into action channels before appropriate local, State, or Federal agencies. The commission has contributed significantly toward the recognition and solution of many of the regional water problems, and has been influential in bringing about the present intense effort of all concerned to assure the conservation of our water resources.

The eight States bordering the Great Lakes have recognized the diversity of conditions existing within the broad area of the Great Lakes Basin and the many possible uses and competition for use of the waters in the basin. To achieve the best and fullest use of this invaluable resource, these States have banded together in an interstate compact which has stimulated productive informal discussions of water matters among the States.

The Great Lakes Basin compact, within its role as a consultative and advising agent on water resources matters, has purposes encompassing a broad scope: First, to promote the orderly, integrated, and comprehensive development, use and conservation of the water resources of the Great Lakes Basin; second, to plan for the welfare and development of the water resources of the basin as a whole, as well as for those por-

tions of the basin which may have problems of special concern; third, to make it possible for the States of the basin and their people to derive the maximum benefit from utilization of public works, in the form of navigational aids or otherwise, which may exist or which may be constructed from time to time; fourth, to advise in securing and maintaining a proper balance among industrial, commercial, agricultural, water supply, residential, and other legitimate uses of the water resources of the basin; and fifth, to establish and maintain an intergovernmental agency to the end that the purposes of this compact may be accomplished more effectively.

The Congress and the Nation as a whole have historically favored the establishment of interstate compacts to assist in meeting the needs and solving the problems of interstate matters. The Constitution of the United States, article I, section 10, clause 3, provides that interstate compacts shall have the consent of Congress.

Senator Hart, in a statement made on the floor of the Senate, has indicated that all of the sponsors of this bill urge adoption by the Congress. It may be noted that in its service to the States the commission renders five important functions. These are (1) to serve as a clearinghouse of information pertaining to the development, use, and conservation of the water resources of the Great Lakes Basin; (2) to undertake, encourage, and assist studies and investigations of the water resources and their use in the Great Lakes Basin; (3) to assist in coordinating the viewpoints of the party States on matters relating to these water resources which require policy determination and execution at the Federal or international levels; (4) to assist, upon request, agencies of the party States and their subdivisions, which administer programs pertaining to the development, use, and conservation of water resources of the basin; and (5) to recommend such new programs, or changes in existing programs, for the development, use, and conservation of the water resources of the basin as may be in the interest of the party States.

To support this program each member State contributes \$9,000 annually to the commission.

The bill has the bipartisan support of representatives of the member States in Congress and the support of the administration. In addition to giving consent to Congress to the compact, the bill specifies certain procedures and limitations.

The committee notes the fact that it has on two previous occasions passed legislation similar to S. 660, and believes that consent of the Congress should be given to this compact as was indicated by the former approvals. Since the meeting of February 7, 1968, it would appear that all of the objections which heretofore existed to giving consent to the compact have been resolved.

On the basis of all of the foregoing, the committee in its belief that the legislation is meritorious, recommends that the bill, S. 660, as amended, be considered favorably.

MAURITZ A. STERNER

The Senate proceeded to consider the bill (H.R. 3865) for the relief of Mauritz A. Sterner which had been reported from the Committee on the Judiciary, with an amendment on page 1, line 5, after the word "of" strike out "\$25,000" and insert "\$50,000".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Subsequently the following proceedings were had on this bill:

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the action taken on Calendar No. 1158, H.R. 3865, an act for the relief of Mauritz A. Sterner, be rescinded and restored to the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILL PASSED OVER

The bill (S. 1075) for the relief of Rivercliff Co., Inc., was announced as next in order.

Mr. MANSFIELD. Over, Mr. President. The PRESIDING OFFICER. The bill will be passed over.

COPYRIGHT PROTECTION

The joint resolution (S.J. Res. 172) extending the duration of copyright protection in certain cases was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 172

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in any case in which the renewal term of copyright subsisting in any work on the date of approval of this resolution, or the term thereof as extended by Public Law 87-668, by Public Law 89-142, or by Public Law 90-141 (or by all or certain of said laws), would expire prior to December 31, 1969, such term is hereby continued until December 31, 1969.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1181), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this legislation is to continue until December 31, 1969, the renewal term of any copyright subsisting on the date of approval of this resolution, or the term as extended by Public Law 87-668, by Public Law 89-142, or Public Law 90-141 (or by all or certain said laws) where such term would otherwise expire prior to December 31, 1969. The joint resolution would provide an interim extension of the renewal term of copyrights pending the enactment by the Congress of a general revision of the copyright laws, including a proposed increase in the length of the copyright term. This resolution would be the fourth such interim extension of copyright. The third extension (Public Law 90-141) will expire on December 31, 1968.

This legislation merely provides for the prolongation of the renewal term of copyright and does not involve creation of a new term of copyright.

STATEMENT

This legislation arises from a study of the U.S. copyright system authorized by the Congress in 1955. After extensive preparatory work, copyright revision bills were introduced in both Houses during the 88th Congress and again in the 89th Congress. In the latter Congress, hearings were commenced on this legislation. At the start of the current Congress, copyright revision bills (S. 597 and H.R. 2512) were again introduced. The House of Representatives on April 11, 1967, passed an amended version of H.R. 2512. This committee's Subcommittee on Patents, Trademarks, and Copyrights has held 17 days of hearings on copyright law revision. These hearings have been concluded. Both the bill passed by the House of Representatives and

S. 597 would increase the copyright term of new works from 28 years, renewable for a second period of 28 years, to a term for the life of the author and for 50 years thereafter. They also provide for a substantial extension of the term of subsisting copyrights.

Because of difficulties which have arisen concerning certain provisions of the revision bill (not relating to the increase in copyright term), and the unavoidable delays resulting from litigation pending in the U.S. Supreme Court relating to the copyright liability of cable television systems, it is apparent that action on the revision bill cannot be completed before the expiration on December 31, 1968, of the temporary extension of copyright terms. In these circumstances, it seems desirable that the terms of expiring copyrights should be extended so that the copyright holders may enjoy the benefit of any increase in term that may be enacted by the Congress. It is the view of the committee that the same considerations that led to the enactment of the previous extensions warrant the approval of this joint resolution.

After a study of the joint resolution, the committee recommends that the legislation be favorably considered.

DR. JUAN DE MOYA

The bill (S. 2490) for the relief of Dr. Juan de Moya was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2490

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Juan de Moya shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 30, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1182), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JOSE A. SIERRA

The bill (S. 2516) for the relief of Dr. Jose A. Sierra was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2516

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jose A. Sierra shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 1, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1183), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JOSE SALAZAR

The bill (S. 2517) for the relief of Dr. Jose Salazar was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2517

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jose Salazar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 17, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1184), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. RAFAEL LUIS BEJAR ARIAS

The bill (S. 2559) for the relief of Dr. Rafael Luis Bejar Arias was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2559

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rafael Luis Bejar Arias shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 4, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1185), explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ROBERTO GARCIA-RIVERA

The bill (S. 2587) for the relief of Dr. Roberto Garcia-Rivera was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2587

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Roberto Garcia-Rivera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 3, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1186), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ALBERTO M. HERNANDEZ

The bill (S. 2599) for the relief of Dr. Alberto M. Hernandez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Alberto M. Hernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 9, 1963.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1187), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JOSE XIRAU

The bill (S. 2609) for the relief of Dr. Jose Xirau was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2609

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jose Xirau shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 28, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1188), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. AURELIO JULIAN ANDRES JIMENEZ CORTINA

The bill (S. 2651) for the relief of Dr. Aurelio Julian Andres Jimenez Cortina was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2651

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Aurelio Julian Andres Jimenez Cortina shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report

(No. 1189), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. CARLOS T. TOLEDO

The bill (S. 2698) for the relief of Dr. Carlos T. Toledo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2698

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Carlos T. Toledo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 24, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1190), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

PETER RUDOLF GROSS

The bill (S. 2724) for the relief of Peter Rudolf Gross was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2724

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the periods of time Peter Rudolf Gross has resided in the United States and any State since his lawful admission for permanent residence on April 15, 1961, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act. In this case the petition for naturalization may be filed with any court having naturalization jurisdiction.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1191), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JACINTO FELIX DE LA PRESILLA-ELIAS

The bill (S. 2825) for the relief of Dr. Jacinto Felix de la Presilla-Elias was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2825

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jacinto Felix de la Presilla-Elias shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 24, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1192), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. CARLOS JESUS AGUILAR LIMA

The bill (S. 2826) for the relief of Dr. Carlos Jesus Aguilar Lima was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Carlos Jesus Aguilar Lima shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 14, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1193), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Doctor Carlos Jesus Aguilar Lima as of July 14, 1962, thus enabling him to file a petition for naturalization.

DR. ROGELIO J. BARATA

The bill (S. 2835) for the relief of Dr. Rogelio J. Barata (Rogelio Jose R. Barata y Rivero) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2835

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rogelio J. Barata (Rogelio Jose R. Barata y Rivero) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 10, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1194), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

ENRIQUE C. SANCHEZ

The bill (S. 2848) for the relief of Enrique C. Sanchez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2848

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Enrique C. Sanchez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 30, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1195), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

MARGARETE REINHOLD HALLETT

The bill (S. 2859) for the relief of Margarete Reinhold Hallett was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2859

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Margarete Reinhold Hallett shall be held and considered to be within the purview of section 319(a) of such Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1196), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization under the provisions of section 319(a) of the Immigration and Nationality Act notwithstanding the death of her U.S. citizen husband.

JAMES T. O'BRIEN

The bill (S. 2897) for the relief of James T. O'Brien was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2897

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, James T. O'Brien shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 30, 1927, upon payment of the required visa fee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1197) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization. The bill provides for the payment of the required visa fee.

SUH YOON SUP

The bill (H.R. 2709) for the relief of Suh Yoon Sup was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1198) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in an immediate relative status of the alien child adopted by citizens of the United States.

YONG CHIN SAGER

The bill (H.R. 4030) for the relief of Yong Chin Sager was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1199), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in an immediate relative status of the alien adopted son of citizens of the United States.

SANDY KYRIACOULA GEORGOPOULOS AND ANTHONY GEORGOPOULOS

The bill (H.R. 4370) for the relief of Sandy Kyriacoula Georgopoulos and Anthony Georgopoulos was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1200), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the adjustment of status as immediate relatives of two alien children adopted by citizens of the United States.

DR. JOSE DEL RIO

The bill (H.R. 7042) for the relief of Dr. Jose Del Rio was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report

(No. 1201), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Jose Del Rio as of November 17, 1960, thus enabling him to file a petition for naturalization.

GILMER COUNTY, GA.

The bill (H.R. 7431) for the relief of Gilmer County, Ga., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1202), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to pay Gilmer County, Ga., \$24,715, in full settlement of its claims against the United States for the Federal share of allowable project costs for the development of Gilmer County Airport which relate to construction work for which the county was not compensated due to the fact that the work was performed prior to the execution of the grant agreement.

STATEMENT

The report on H.R. 7431 from the House of Representatives relates the following:

"The Department of Transportation and the Appalachian Regional Commission in their reports to the committee on the bill have indicated that they have no objection to favorable consideration of the bill if it is amended as recommended by the committee to provide for the payment to Gilmer County, Ga., of the amount of \$24,715, which would have been the Federal share of the work performed on the project had it been done after the execution of the grant agreement."

"On June 2, 1966, the county of Gilmer submitted to the Federal Aviation Administration a project application proposing the development of the Gilmer County Airport in accordance with the provisions of the Federal Airport Act. On October 27, 1966, a grant agreement was signed by the FAA and the county of Gilmer providing for the payment of the allowable project costs of the airport project on the following basis: 50 percent from funds appropriated under the Federal Airport Act, 30 percent from funds appropriated under the Appalachian Regional Development Act, and 20 percent by the project sponsor. Between the time the project application was submitted and the time the grant agreement was signed, the Barney Elrod Construction Co. performed certain construction work on the airport. Because of a prohibition contained in the Federal Airport Act against sharing construction costs incurred prior to the execution of such a grant agreement, the Federal Government could not share with the project sponsor, the county of Gilmer, any costs the sponsor incurred as a result of the above-mentioned construction work."

"The Department of Transportation in its report to the committee on the bill stated that the company named in the bill as originally introduced, the Barney Elrod Construction Co., performed valuable work in the development of the Gilmer County Airport. That Department further stated that had the work been performed subsequent to the execution of the grant agreement, the agree-

ment would have made it possible for the Federal Government to absorb the appropriate percentage of the reasonable cost of the work performed. The report further pointed out the need for amendment of the bill as introduced. As has been noted the committee recommended these amendments. First, the amended bill provides that the payment is to be made to the county, which is the project sponsor, and the body to which the Federal Government would pay the money under the grant agreement. Secondly, the amount has been changed so that it equals the Federal share, and not the entire cost for the work performed.

"Following receipt of the report, the committee contacted the Department and the figure stated in the amended bill is the one which is acceptable to it. The Federal Aviation Agency fixed the total cost of the work at \$30,893. The 50 percent which was authorized to be made from funds appropriated under the Federal Airport Act came to \$15,447. The 30 percent which would have been payable from funds appropriated under the Appalachian Regional Development Act amounts to \$9,268. The combined amounts for the 80 percent which would have been borne by the Federal Government comes to \$24,715, which is the figure stated in the amended bill.

"The committee has carefully considered the circumstances of this case. As is noted by the Appalachian Regional Commission in its report, this project was developed during the first year of operations under the Appalachian Regional Development Act of 1965. At that time, procedures were still being evolved for handling projects involving the basic grant funds under the Federal Airport Act and supplemental grant funds under the Appalachian Act. The facts supplied to the committee establish that county officials did not fully understand the consequences of the early commencement of work by the contractor on the airport project. The committee is satisfied that but for the delay in execution of the grant agreement that the work would have been paid for as provided in the amended bill. It is inequitable to deny the county payment for the work performed in this manner. In view of this fact and the favorable recommendations of the Department of Transportation and the Appalachian Regional Commission, it is recommended that the amended bill be considered favorably."

The Committee, after consideration of the foregoing, concurs in the action of the House of Representatives and recommends that the bill, H.R. 7431, be considered favorably.

VICTORINO SEVERO BLANCO

The bill (H.R. 8241) for the relief of Victorino Severo Blanco was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1203), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Victorino Severo Blanco as of August 18, 1961, thus enabling him to file a petition for naturalization.

BILL PASSED OVER

The bill (H.R. 15462) for the relief of Lennart Gordon Longhorne was announced as next in order.

Mr. MANSFIELD. Over, Mr. President. The PRESIDING OFFICER. The bill will be passed over.

PFC. JOHN PATRICK COLLOPY

The bill (H.R. 15591) for the relief of Pfc. John Patrick Collopy, US51615166, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1205), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant U.S. citizenship posthumously to Pfc. John Patrick Collopy.

REPRODUCTIONS OF U.S. AND FOREIGN POSTAGE STAMPS

The bill (H.R. 15972) to permit black and white or color reproductions of U.S. and foreign postage stamps under certain circumstances, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1206), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to permit black and white or color reproductions of U.S. and foreign postage stamps under certain circumstances.

STATEMENT

The House, in its favorable consideration of H.R. 15972, relates the following:

"Title 18, section 504 of the United States Code presently constitutes an exception to the general statutes directed against counterfeiting. Paragraph (1) applies to illustrations of revenue and postage stamps and other obligations and securities of the United States and postage and revenue stamps, notes, bonds, and other obligations or securities of any foreign government, bank, or corporation, and permits reproductions of these various items under certain conditions and only for philatelic, numismatic, educational, historical, or newsworthy purposes in articles, books, journals, newspapers, or albums.

"Illustrations of U.S. and foreign postage stamps are permitted at the present time if they meet the following three conditions: (1) The illustrations are in black and white; (2) the illustrations are for philatelic, educational, historical, or newsworthy purposes; and (3) the illustrations appear in articles, books, journals, newspapers, or albums. The illustrations can be the exact size of the genuine stamps. Illustrations of U.S. and foreign postage stamps, except those of canceled foreign stamps, are not permitted in color.

"H.R. 15972 would change the existing provisions to permit colored illustrations of canceled U.S. postage stamps in the exact size of genuine stamps and colored illustrations of uncanceled U.S. and foreign stamps if the size of the illustrations is less than three-fourths or more than 1½ times the size of the genuine stamps.

"In addition, this bill would permit the use of colored illustrations of stamps in

public documents relating to stamps printed by the Government Printing Office at the request of the Postmaster General.

"H.R. 15972 is intended to remove a restriction in the law that is no longer timely and permit the publication of postage stamps in their actual colors for newsworthy or philatelic purposes. At present, such publications as newspapers, magazines, and books are confined to black-and-white reproduction of U.S. stamps. This restriction was once believed to serve as a deterrent to stamp counterfeiting. However, stamp counterfeiting has become a highly unprofitable undertaking. The prospective rewards are small, the punishment great; so that stamp counterfeiting is almost nonexistent in the United States.

"U.S. postage stamps are impregnated with an invisible phosphor. When mail is fed into facer-canceling machines, this phosphor glows ultraviolet light, and this activation dispatches the mail to the proper channel in the machine. Unless a counterfeit stamp contained this phosphor, mail carrying the stamp would fall into a reject channel in the machine and immediately attract suspicion. The Post Office Department assured the committee that counterfeiting of U.S. postage stamps has not constituted a problem in law enforcement.

"Enactment of this legislation will offer several positive results which will be significantly beneficial to the U.S. Government. The public interest in stamps can be served by this permission to reproduce color stamps in national magazines as well as in stamp catalogs, and the educational interest will likewise be served in that stamps can be reproduced in color in research books such as encyclopedias. Additionally, the U.S. philatelic program is an increasing source of revenue for the Post Office Department, and a conservative estimate indicates a profit of \$550,000 on commemorative stamps each year. In fact, the Post Office Department plans to issue, on the Fourth of July, a series of 10 stamps reproducing historical American flags. The opportunity to illustrate these flags in color in various publications will enhance the interest in stamps.

"In recent years great progress has been made in the production of U.S. postage stamps. The Bureau of Engraving and Printing has done an outstanding job in manufacturing stamps, and some of the Nation's leading artists are presently designing U.S. stamps. Unfortunately, the existing black-and-white reproductions do not do justice to the quality of U.S. stamps and do not fully serve the public interest.

"A public hearing was held on a predecessor bill, H.R. 2622, designed to accomplish the same purpose, and testimony was received from Members of Congress and officials of the Post Office Department and Department of the Treasury. During the course of the hearing various amendments were suggested to H.R. 2622, and, as a consequence, it was decided that a clean bill would be introduced."

LEONARDO SEDA

The Senate proceeded to consider the bill (S. 2610) for the relief of Leonardo Seda which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after "July 29," strike out "1960", and insert "1960 and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act."; so as to make the bill read:

S. 2610

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Leonardo Seda shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 29, 1960, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1208), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents.

YUNG RAN KIM

The Senate proceeded to consider the bill (S. 2706) for the relief of Yung Ran Kim which had been reported from the Committee on the Judiciary, with an amendment, strike out all after the enacting clause and insert:

That in the administration of the Immigration and Nationality Act, section 204(c), relating to the number of petitions which may be approved in behalf of adopted children, shall be inapplicable in the case of a petition filed in behalf of Yung Ran Kim by Mr. and Mrs. Charles R. Kiner, Junior, citizens of the United States: *Provided*, That no brothers or sisters of the beneficiary shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1209), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of an orphan to be adopted by citizens of the United States, notwithstanding the fact that the prospective adoptive parents have previously had the maximum number of petitions approved. The bill has been amended in accordance with established precedents.

DR. ANGEL SOLAR

The Senate proceeded to consider the bill (S. 2733) for the relief of Dr. Angel Solar which had been reported from the Committee on the Judiciary, with an amendment, at the beginning of line 6 strike out "May 17, 1963" and insert "May 21, 1963"; so as to make the bill read:

S. 2733

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Angel Solar shall be held to have been lawfully admitted to the United States for permanent residence as of May 21, 1963.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1210), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The purpose of the amendment is to reflect the proper date upon which he was paroled into the United States.

DR. HELDO GOMEZ AND OLGA ENRIQUE GOMEZ

The Senate proceeded to consider the bill (S. 2756) for the relief of Dr. Helda Gomez and his wife, Olga Enrique Gomez which had been reported from the Committee on the Judiciary, with an amendment, strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Doctor Helda Gomez and his wife, Olga Enrique Gomez, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 24, 1961, and December 5, 1961, respectively.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1211), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Dr. Helda Gomez and his wife, Olga Enrique Gomez, as of July 24, 1961 and December 5, 1961, respectively, thus enabling them to file petitions for naturalization. The bill has been amended to conform the language to established precedents.

S. SGT. IVAN CLAUS KING

The Senate proceeded to consider the bill (S. 2759) conferring U.S. citizenship posthumously upon S. Sgt. Ivan Claus King which had been reported from the Committee on the Judiciary, with an amendment, strike out all after the enacting clause and insert:

That Staff Sergeant Ivan Claus King, a native of Germany, who served honorably in the United States Army from May 12, 1965, until his death on October 2, 1967, shall be held and considered to have been a citizen of the United States at the time of his death.

The amendment was agreed to.

The bill was ordered to be engrossed

for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1212), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended is to confer U.S. citizenship posthumously upon S. Sgt. Ivan Claus King. The bill has been amended in accordance with established precedents

ELOY RENE TUYA HERNANDEZ

The Senate proceeded to consider the bill (S. 2827) for the relief of Eloy Rene Tuya Hernandez, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" strike out "July 15, 1960" and insert "July 18, 1960"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Eloy Rene Tuya Hernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 18, 1960, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1213), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The purpose of the amendment is to reflect the proper date upon which he was paroled into the United States as a refugee.

GIOVANNA INGUI DALLARA

The Senate proceeded to consider the bill (H.R. 4544) for the relief of Giovanna Ingui Dallara, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 8, after the word "Act" insert a colon and insert "Provided, That no brothers or sisters of the said Giovanna Ingui Dallara shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report

(No. 1214), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the alien child adopted by citizens of the United States. The bill has been amended in accordance with established precedents.

THEOFANE SPIROU KOUKOS

The Senate proceeded to consider the bill (H.R. 4976) for the relief of Theofane Spirou Koukos, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 8, after the word "Act" insert a colon and "Provided, That no brothers or sisters of the said Theofane Spirou Koukos shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1215), explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the alien child adopted by citizens of the United States. The bill has been amended in accordance with established precedents.

AMIR U. KHAN

The Senate proceeded to consider the bill (H.R. 11287) for the relief of Amir U. Khan, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Amir U. Khan shall be held and considered to have been lawfully admitted to the United States for permanent residence on July 9, 1948, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1216), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill as amended is to grant the status of permanent residence in the United States to Amir U. Khan as of July 9, 1948, and to enable him to file a petition for naturalization based on his residence and physical presence since that date. The bill has been amended in accordance with established precedents.

POSTHUMOUS CITIZENSHIP FOR
PFC. JOHN R. ANELI

The Senate proceeded to consider the bill (H.R. 13301) to confer U.S. citizenship posthumously upon Pfc. John R. Aneli, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, Private First Class John R. Aneli, a native of Italy, who served honorably in the United States Army from August 29, 1966, until his death on August 7, 1967, shall be held and considered to have been a citizen of the United States at the time of his death.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1217), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill as amended is to confer U.S. citizenship posthumously upon Pfc. John R. Aneli. The bill has been amended in accordance with established precedents.

ERNESTO ALUNDAY

The Senate proceeded to consider the bill (S. 1506) for the relief of Ernesto Alunday, which had been reported from the Committee on the Judiciary, with amendments, in line 7 after the word "parent" insert "or brothers or sisters"; and in line 8, after the word "such" strike out "parentage" and insert "relationship"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 203(a) (1) and 204 of the Immigration and Nationality Act, Ernesto Alunday shall be held and considered to be the natural-born alien son of Teodoro A. Alunday, a citizen of the United States: Provided, That no natural parent or brothers or sisters of the beneficiary, by virtue of such relationship, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1218), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to qualify for first preference status as the unmarried son of a citizen of the United States. The bill has been amended in accordance with established precedents.

JUAN ANTONIO LOPEZ

The Senate proceeded to consider bill (S. 2547) for the relief of Juan Antonio Lopez, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" where it appears the first time strike out "the date of his entry into the United States, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available"; and insert "January 2, 1962."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Juan Antonio Lopez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 2, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Dr. Juan Antonio Lopez."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1219), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents and to reflect the proper date upon which he was paroled into the United States as a refugee.

MR. LEONEL E. ENRIQUEZ

The Senate proceeded to consider bill (S. 2568) for the relief of Mr. Leonel E. Enriquez, which had been reported from the Committee on the Judiciary, with amendments, in line 4, after the name "Enriquez" insert "and his wife, Mrs. Esther Luisa Marrero de Enriquez"; and in line 7 after "June 2," strike out "1961" and insert "1961 and April 10, 1962, respectively"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mr. Leonel E. Enriquez and his wife, Mrs. Esther Luisa Marrero de Enriquez, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 2, 1961 and April 10, 1962, respectively.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Mr. Leonel E. Enriquez and his wife, Mrs. Esther Luisa Marrero de Enriquez."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1221), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiaries to file petitions for naturalization. The purpose of the amendment is to include the beneficiary of S. 2569.

DR. CESAR BARO ESTAVA

The Senate proceeded to consider the bill (S. 2783) for the relief of Dr. Cesar Baro Estava which had been reported from the Committee on the Judiciary, with an amendment, in line 4, after the name "Baro" strike out "Estava" and insert "Esteva"; so as to make the bill read:

S. 2783

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Cesar Baro Estava shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 9, 1961.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Dr. Cesar Baro Estava".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 1222—explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Dr. Cesar Baro Estava as of September 9, 1961, thus enabling him to file a petition for naturalization. The bill has been amended to correct the spelling of the beneficiary's name.

RICHARD SMITH (NOBORU
KAWANO)

The Senate proceeded to consider the bill (S. 3024) for the relief of Richard Smith (Noboru Kawano) which had been reported from the Committee on the Judiciary, with amendments, in line 7, after the word "Sergeant" strike out "and Mrs. Robert E. Smith, citizens" and insert "Robert E. Smith, a citizen"; and in line 9, after the word "Act." insert "Provided, That no brothers or sisters of the beneficiary shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."; so as to make the bill read:

S. 3024

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Richard Smith (Noboru Kawano) may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Technical Sergeant Robert E. Smith, a citizen of the United States, pursuant to section 204 of the Act: *Provided,* That no brothers or sisters of the beneficiary shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1223), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the adopted son of a citizen of the United States. The bill has been amended in accordance with established precedents.

ADMISSION OF CERTAIN INHABITANTS OF THE BONIN ISLANDS

The Senate proceeded to consider the bill (S. 3488) to provide for the admission to the United States of certain inhabitants of the Bonin Islands which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 7, after the word "a" strike out "United States"; and on page 3, after line 4, insert a new section, as follows:

SEC. 4. Except as otherwise specifically provided for in this Act, the definitions contained in section 101 of the Immigration and Nationality Act, as amended (8 U.S.C. 1101), shall apply to the administration of this Act.

So as to make the bill read:

S. 3488

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of any other law, nothing contained in title II of the Immigration and Nationality Act, as amended, except for section 212(a) (9), (10), (11), (12), (13), (23), (27), (28), and (29), section 215, and section 241(a) (1), (6), and (7) of the Act (8 U.S.C. 1151 et seq.) shall limit, restrict, deny, or otherwise affect the entry into the United States or its outlying possessions, as defined in section 101(a) (29) and (38) of the Immigration and Nationality Act (8 U.S.C. 1101(a) (29) and (38)), within two years after the enactment of this Act, or the departure from the United States or its outlying possessions, of not more than 205 inhabitants of the Bonin Islands, and the children described in section 2 of this Act, who present a document of identity and nationality issued by the Military Governor of the Bonin Islands or by a United States consular officer in Japan. This section shall not grant any privileges, rights, benefits, exemptions, or immunities to such inhabitant or child which are not specifically granted by this Act.

SEC. 2. This Act applies to—

(1) natives of the Bonin Islands, or of

Japan, who are nationals of Japan and who resided in such islands on November 15, 1967, including an inhabitant temporarily absent from the islands on that date; and

(2) any inhabitant of the Bonin Islands who was born to eligible parents after November 15, 1967, but before two years after the enactment of this Act and continued to reside in the islands or in the United States or its outlying possessions; and has taken no affirmative steps to acquire another foreign nationality.

SEC. 3. Any person who enters the United States under the provisions of this Act shall, upon completion of the residence and physical presence requirements of section 316(a) of the Immigration and Nationality Act (8 U.S.C. 1427 (a)), be deemed to have been lawfully admitted to the United States for permanent residence as of the date of such entry, for the purpose of petitioning for naturalization.

SEC. 4. Except as otherwise specifically provided for in this Act, the definitions contained in section 101 of the Immigration and Nationality Act, as amended (8 U.S.C. 1101), shall apply to the administration of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1224), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States of not to exceed 205 inhabitants of the Bonin Islands and certain of their children within 2 years after enactment of this act, and to provide such aliens a means whereby they may petition for naturalization upon completion of the residence and physical presence requirements of section 316(a) of the Immigration and Nationality Act.

STANISLAW AND JULIANNA SZYMONIK

The Senate proceeded to consider the bill (H.R. 1879) for the relief of Stanislaw and Julianna Szymonik which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the word "shall" strike out "be held to be included in the class of applicants for naturalization exempted from the provisions of section 313(a)" and, in lieu thereof, insert "not be regarded to be or to have been within the classes of persons whose naturalization is prohibited by section 313"; and in line 9, after the word "Act," strike out "as such class is specified in section 313 (c) of the said Act,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Stanislaw and Julianna Szymonik, lawfully admitted for permanent residence in the United States, shall not be regarded to be or to have been within the classes of persons whose naturalization is prohibited by section 313 of the Immigration and Nationality Act, and that Stanislaw and Julianna Szymonik shall be considered to have met the residence and physical presence requirements of section 316(a) of the said Act, and their petitions for naturalization may be filed with any court having naturalization jurisdiction.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1225), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive the provisions of section 313 of the Immigration and Nationality Act in behalf of Stanislaw and Julianna Szymonik, and to provide that they be held to have complied with the residence and physical presence requirements of section 316 of that act, thus permitting them to file petitions for naturalization. The amendments are technical in nature.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I thank the distinguished Senator from Maryland for his patience and courtesy.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Maryland.

Mr. TYDINGS. Mr. President, I ask unanimous consent that I may yield to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. I am grateful to my colleague and friend, the distinguished Senator from Maryland, for yielding to me.

S. 3633—INTRODUCTION OF BILL TO AMEND TITLE 18, UNITED STATES CODE

Mr. DODD. Mr. President, President Johnson, in his deep concern over the assassination of Senator Robert F. Kennedy and his anguish over the continued killings in this country, has sent a firearms bill to Congress, the State Firearms Control Assistance Act of 1968.

At the administration's request, I now introduce this bill and send it to the desk for appropriate reference to committee.

On Monday, because I shared the President's concern over the epidemic of violence that plagues our country, I introduced two bills of my own.

The first was similar to the one I now introduce on behalf of the administration. The second was a measure calling for the compulsory registration of all firearms.

The President's proposed gun bill is virtually the same as title IV, my amendment to H.R. 5037, which passed the Congress on June 6.

There are, however, two significant extensions of coverage in this new bill.

It imposes the following restrictions on rifles and shotguns, paralleling those imposed by title IV on handguns:

First. It prohibits the interstate mail order sale of rifles and shotguns, except between licensed dealers.

Second. It prohibits the over-the-counter sales to nonresidents of rifles and shotguns.

Third. It prohibits the sale of long guns to persons under 18.

There are also provisions to control the shipment and sale of ammunition. These would first, prohibit the interstate mail-order sale of ammunition except between licensed dealers; second, prohibit the sale of handgun ammunition to persons under 21, and the sale of long gun ammunition to persons under 18; and, third, require manufacturers and dealers in ammunition to be licensed, the licensee fee to be set at \$10 annually.

There will be those who claim that these restrictions interfere with the constitutionally given right for any and all to possess "hunting" weapons, and that this amendment if enacted would disarm our citizenry, leaving them helpless in the face of possible attack from within or without. They view such legislation as the first step in some sinister conspiracy.

But this amendment is, in fact, an extremely limited measure which takes only a minimal first step toward effective regulation in gun traffic.

The argument that an amendment such as this would "inconvenience" a large segment of the population is so obviously contrived that I think it is worth noting all of the things that this amendment does not do:

It does not prohibit any responsible person from owning a rifle or shotgun.

It does not prohibit any responsible person from using a rifle or shotgun.

It does not prohibit a person from taking his long gun from his State and carrying it with him to another State.

Under this amendment a person can even give a rifle or shotgun to his child if he thinks that wise, whether or not the child is 18 years old.

One of the principal arguments against this amendment will unquestionably be the requirement that a man appear in person at some point in the course of purchasing a rifle or shotgun would "inconvenience" him. This may be true, to a certain extent.

But let us not exaggerate this inconvenience.

First of all, a person will still be able to choose from the same variety of long guns that is available to him now through mail-order catalogs. This is true because the only difference this amendment would make is that he would have to order the long gun through a dealer at whose place of business he will appear at some point before receiving the gun. He can have the catalogs at home, or go look at those at the dealer's shop. In either case, he will have exactly the same variety of choice as he does today.

Registration and control of the purchase of new guns will not give us a 100-percent guarantee that incompetents will

not acquire firearms. But it will at least serve to keep firearms out of the hands of many people who should not have them.

As an added safeguard there are the controls over the sale of ammunition. These will further restrict the illicit use of guns, because, for guns to do their damage, there must be ammunition.

The restriction of ammunition sales to those over 21 in the case of handguns, and to those over 18 in the case of rifles and shotguns, is the simplest kind of precaution. It will provide an additional check by limiting the sale of ammunition to those who possess their guns lawfully and are known to be neither felons nor lunatics. But it will cause no inconvenience to the serious sportsman.

I believe that these controls over the sales of ammunition would be more effective if coupled with the provisions governing the sale of ammunition in the gun registration bill which I introduced Monday.

In short, the controls over ammunition in both bills would complement each other.

Mr. President, we know that one of the prime arguments against gun-control legislation is that gun laws do not work, that they are ineffective and meaningless as a deterrent to crimes of violence.

I submit that quite the opposite is true, and this can be demonstrated by massive evidence in the files of the Juvenile Delinquency Subcommittee.

In England for example the murder rate by guns is only one fifty-fifth the rate in this country.

Again, in England firearms were used in 3 percent of the 9,000 robberies in 1966, whereas in the United States robberies in which firearms are used stand at 40 percent of the total, or some 60,000 gun robberies in 1966.

These comparisons are meaningful in light of the fact that England stringently controls access to firearms by its citizens.

Similar low incidences of firearms abuse are the rule in other Western European nations.

I submit that if we acknowledge these facts and then relate them to the presence of gun controls in those countries, then we must conclude that gun controls are indeed effective.

I, of course, recognize that there are other contributing causes to crime in this land and in other nations of the world. But I firmly believe that the presence or absence of gun controls is a significant factor in the number of gun crimes and, therefore, in the general level of violence.

And, of course, the facts on gun crimes in the United States bear out my conviction that the absence of gun controls in the United States is a major factor in our appalling rates for crimes of violence.

It is also highly significant that those areas of the Nation from which the staunchest opposition to gun-control legislation emanates have generally the highest percentages of murder by gun.

In Montana, 72 percent of the murders are by gun.

In Nevada, 67 percent of the murders are by gun.

In Texas, 69 percent of the murders are by gun.

In South Carolina, it is 73 percent and in Nebraska 70 percent.

All of the above States do not have stringent gun controls.

When one contrasts these percentages of murder by gun with States with stringent gun controls, we find the following:

New York, 32 percent.

New Jersey, 39 percent.

Massachusetts, 36 percent.

Rhode Island, 24 percent.

Mr. President, the conclusion is obvious to me.

A State or a nation with strong gun-control laws fares much better than does a State or a nation that has no gun controls.

It is just as simple as that.

Last year, 6,500 Americans were shot down by guns in the hands of murderers. Another 100,000 were the victims of other crimes, ranging from rape and assault to robbery, committed by felons armed with guns.

The assassination of President John F. Kennedy by a mail-order rifle in the hands of an individual with a known political obsession deprived the entire Nation of its President.

The assassination of Dr. Martin Luther King by a rifle in the hands of an escaped felon deprived the Nation of one of its great moral leaders, a symbol and advocate of nonviolence.

The assassination of Robert F. Kennedy by a cheap handgun in the hands of an individual with a strong personal hatred deprived this Nation of an outstanding Senator and an important candidate in a race that symbolizes, more than any other, the very heartbeat of democracy in these United States.

The atmosphere of violence and the obessional recourse to guns by demented individuals to achieve their goals are, in the end, destructive to all citizens.

In this environment, the availability of firearms to unstable individuals, whether they be children, felons, or lunatics is a continuing affront to the attempt of this Nation to maintain a civilization where life and the pursuit of happiness are everyone's right and expectation.

The opponents of adequate firearms control laws have coined a slogan: Guns do not kill people, people kill people.

This is a deceptive phrase.

The truth is that guns do kill people, and, indeed, it is often the trigger which pulls the finger. This is something that has been established by psychologists.

I made reference yesterday to a study by Dr. Leonard Berkowitz at the University of Wisconsin. It showed that the mere presence of a firearm in the vicinity of an angered person tends to increase such a person's aggressiveness, hostility, and potential for violence.

I add to this conclusion the findings of the Federal Bureau of Investigation that a gun is seven times more deadly than all other weapons used in crime combined.

It is my earnest hope, as I said yesterday, that Congress will heed the plea of the President and will enact both the new legislation which I have introduced today on behalf of the administration,

and the legislation providing for the compulsory registration of firearms, which I introduced on Monday.

With this legislation on the books, our country would for the first time have effective controls over the sale and purchase and ownership of firearms.

By providing ourselves with these controls, we shall bring America into the company of other civilized nations, rather than being looked upon by our friends in other countries as a well intentioned but hopelessly anachronistic nation whose popular mentality and gun laws belong to the age of General Custer rather than to the mid-20th century.

Congress knows that the people of this country favor the stringent gun control legislation incorporated in the administration's proposal and in my own proposal for compulsory registration. This has been borne out by every poll that has been taken in recent years.

I therefore appeal to the Congress to give the American people the protective gun legislation which they demand and deserve.

And I appeal to the people of this country not to content themselves with voicing their opinions to occasional pollsters, but to make their opinions, yes, and their demands, known to Members of Congress in an unending torrent of letters and telegrams.

The gun lobby, although it represents only a tiny minority, has often boasted that it can inundate Washington with a million communications on 24 hours notice.

Let those decent law-abiding citizens who want the protection of gun legislation respond to this infamous lobby by flooding Washington with tens of millions of communications.

Let the trade unions and the women's clubs and the civic organizations and clergymen of all denominations join in an active crusade in support of compulsory registration.

The success of the gun lobby over a period of over 30 years constitutes another tragic proof of the dictum that "all that is necessary for the triumph of evil, is for good men to do nothing."

It is time for the people of America to break the grip of the gun lobby and to assert themselves.

Mr. President, I send the bill to the desk, for appropriate reference, and I ask unanimous consent that the entire text of the bill may be printed at the end of my remarks along with a letter of transmittal to the Vice President of the United States from Attorney General Ramsey Clark.

THE PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 3633) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms, introduced by Mr. Dodd (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3633

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this

Act may be cited as the "State Firearms Control Assistance Act of 1968."

FINDINGS AND DECLARATION

SEC. 2. (a) The Congress hereby finds and declares—

(1) that there is a widespread traffic in firearms moving in or otherwise affecting interstate or foreign commerce, and that the existing Federal controls over such traffic do not adequately enable the States to control this traffic within their own borders through the exercise of their police power;

(2) that the ease with which any person can acquire firearms (including criminals, juveniles without the knowledge or consent of their parents or guardians, narcotics addicts, mental defectives, armed groups who would supplant the functions of duly constituted public authorities, and others whose possession of such weapons is similarly contrary to the public interest) is a significant factor in the prevalence of lawlessness and violent crime in the United States;

(3) that only through adequate Federal control over interstate and foreign commerce in these weapons, and over all persons engaging in the businesses of importing, manufacturing, or dealing in them, can this grave problem be properly dealt with, and effective State and local regulation of this traffic be made possible;

(4) that the acquisition on a mail-order basis of firearms by nonlicensed individuals, from a place other than their State of residence, has materially tended to thwart the effectiveness of State laws and regulations, and local ordinances;

(5) that the sale or other disposition of firearms by importers, manufacturers, and dealers holding Federal licenses, to non-residents of the State in which the licensees' places of business are located, has tended to make ineffective the laws, regulations, and ordinances in the several States and local jurisdictions regarding such firearms;

(6) that there is a causal relationship between the easy availability of firearms and juvenile and youthful criminal behavior, and that firearms have been widely sold by federally licensed importers and dealers to emotionally immature, or thrill-bent juveniles and minors prone to criminal behavior;

(7) that the United States has become the dumping ground of the castoff surplus military weapons of other nations, and that such weapons, and the large volume of relatively inexpensive firearms (largely worthless for sporting purposes), imported into the United States in recent years, has contributed greatly to lawlessness and to the Nation's law enforcement problems;

(8) that the lack of adequate Federal control over interstate and foreign commerce in highly destructive weapons (such as bazookas, mortars, antitank guns, and so forth, and destructive devices such as explosive or incendiary grenades, bombs, missiles, and so forth) has allowed such weapons and devices to fall into the hands of lawless persons, including armed groups who would supplant lawful authority, thus creating a problem of national concern;

(9) that the existing licensing system under the Federal Firearms Act does not provide adequate license fees or proper standards for the granting or denial of licenses, and that this has led to licenses being issued to persons not reasonably entitled thereto, thus distorting the purposes of the licensing system.

(b) The Congress further hereby declares that the purpose of this title is to cope with the conditions referred to in the foregoing subsection, and that it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection or any other lawful activity, and that this title is not in-

tended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title.

Sec. 3. Title 18, United States Code, is amended by inserting after section 917 thereof chapter 44 to read as follows:

"CHAPTER 44.—FIREARMS

"Sec.

"921. Definitions.

"922. Unlawful acts.

"923. Licensing.

"924. Penalties.

"925. Exceptions: Relief from disabilities.

"926. Rules and regulations.

"927. Effect on State law.

"928. Separability clause.

"§ 921. Definitions

"(a) As used in this chapter—

"(1) The term 'person' and the term 'whoever' includes any individual, corporation, company, association, firm, partnership, society, or joint stock company.

"(2) The term 'interstate or foreign commerce' includes commerce between any State or possession (not including the Canal Zone) and any place outside thereof; or between points within the same State or possession (not including the Canal Zone), but through any place outside thereof; or within any possession or the District of Columbia. The term 'State' shall include the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia.

"(3) The term 'firearm' means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device.

"(4) The term 'destructive device' means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter.

"(5) The term 'shotgun' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

"(6) The term 'short-barreled shotgun' means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(7) The term 'rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

"(8) The term 'short-barreled rifle' means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(9) The term 'importer' means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term 'licensed importer' means any such person licensed under the provisions of this chapter.

"(10) The term 'manufacturer' means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution; and the term 'licensed manufacturer' means any such person licensed under the provisions of this chapter.

"(11) The term 'dealer' means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms or (C) any person who is a pawnbroker. The term 'licensed dealer' means any dealer who is licensed under the provisions of this chapter.

"(12) The term 'pawnbroker' means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

"(13) The term 'indictment' includes an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

"(14) The term 'fugitive from justice' means any person who has fled from any State or possession to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding.

"(15) The term 'antique firearm' means any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system or replica thereof, whether actually manufactured before or after the year 1898) and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

"(16) The term 'ammunition' means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

"(17) The term 'Secretary' or 'Secretary of the Treasury' means the Secretary of the Treasury or his delegate.

"(b) As used in this chapter—

"(1) The term 'firearm' shall not include an antique firearm.

"(2) The term 'destructive device' shall not include—

"(A) a device which is neither designed nor redesigned nor used nor intended for use as a weapon; or

"(B) any device, although originally designed as a weapon, which is redesigned so that it may be used solely as a signaling, linethrowing, safety or similar device; or

"(C) any shotgun other than a short-barreled shotgun; or

"(D) any nonautomatic rifle (other than a short-barreled rifle) generally recognized or particularly suitable for use for the hunting of big game; or

"(E) surplus obsolete ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of sections 4684 (2), 4685, or 4686 of title 10, United States Code; or

"(F) any other device which the Secretary finds is not likely to be used as a weapon.

"(3) The term 'crime punishable by imprisonment for a term exceeding one year' shall not include any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as the Secretary may by regulation designate.

"§ 922. Unlawful acts

"(a) It shall be unlawful—

"(1) for any person, except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of import-

ing, manufacturing, or dealing in firearms, or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce.

"(2) for any importer, manufacturer, or dealer licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce, any firearm or ammunition to any person other than a licensed importer, licensed manufacturer, or licensed dealer, except that—

"(A) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from returning a firearm or replacement firearm of the same kind and type to a person from whom it was received;

"(B) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from depositing a firearm for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of section 1715 of title 18 of the United States Code, is eligible to receive through the mails pistols, revolvers, and other firearms capable of being concealed on the person, for use in connection with his official duty;

"(C) nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States.

"(3) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, in which he maintains a place of business) any firearm purchased or otherwise obtained by him outside that State.

"(4) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer, to transport in interstate or foreign commerce any destructive device, machinegun (as defined in section 5848 of the Internal Revenue Code of 1954), a short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary consistent with public safety and necessity.

"(5) for any person other than a licensed importer, licensed manufacturer, or licensed dealer, to transfer, sell, trade, give, transport, or deliver any firearm to any person (other than a licensed importer, licensed manufacturer, or licensed dealer) who the transferor knows or has reasonable cause to believe resides in any State other than that in which the transferor resides (or in which his place of business is located if the transferor is a corporation or other business entity).

"This paragraph shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

"(6) for any person in connection with the acquisition or attempted acquisition of any firearm or ammunition from a licensed importer, licensed manufacturer, or licensed dealer, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false or fictitious or misrepresented identification, intended or likely to deceive such importer, manufacturer, or dealer with respect to any fact material to the lawfulness of the sale or other disposition of such firearm or ammunition under the provisions of this chapter.

"(b) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or deliver—

"(1) any firearm or ammunition to any individual who the licensee knows or has reasonable cause to believe is less than eighteen years of age and, if the firearm or ammunition is other than a shotgun or rifle, or ammunition for a shotgun or rifle, to any individual who the licensee knows or has

reasonable cause to believe is less than twenty-one years of age.

"(2) any firearm or ammunition to any person in any State where the purchase or possession by such person of such firearm or ammunition would be in violation of any State or local law applicable at the place of sale, delivery or other disposition, unless the licensee knows or has reasonable cause to believe that the purchase or possession would not be in violation of such State or local law.

"(3) any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located.

"(4) to any person any destructive device, machinegun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary consistent with public safety and necessity.

"(5) any firearm or ammunition to any person unless the licensee notes in his records required to be kept pursuant to section 923 of this chapter, the name, age, and place of residence of such person if the person is an individual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

Paragraphs (1), (2), (3) and (4) of this subsection shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

"(c) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or otherwise dispose of any firearms or ammunition to any person, knowing or having reasonable cause to believe that such person is a fugitive from justice or is under indictment or has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year. This subsection shall not apply with respect to sale or disposition of a firearm or ammunition to a licensed importer, licensed manufacturer, or licensed dealer who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms or ammunition, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

"(d) It shall be unlawful for any person knowingly to deliver or cause to be delivered to any common or contract carrier for transportation or shipment in interstate or foreign commerce, to persons other than licensed importers, licensed manufacturers or licensed dealers, any package or other container in which there is any firearm or ammunition without written notice to the carrier that such firearm or ammunition is being transported or shipped.

"(e) It shall be unlawful for any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm or ammunition with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of the provisions of this chapter.

"(f) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or who is a fugitive from justice, to ship or transport any firearm or ammunition in interstate or foreign commerce.

"(g) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or is a fugitive from justice, to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

"(h) It shall be unlawful for any person to transport or ship in interstate or foreign

commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe the same to have been stolen.

"(i) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, moving as or which is a part of or which constitutes interstate or foreign commerce, knowing or having reasonable cause to believe the same to have been stolen.

"(j) It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm the importer's or manufacturer's serial number of which has been removed, obliterated, or altered.

"(k) It shall be unlawful for any person knowingly to import or bring into the United States or any possession thereof any firearm or ammunition, except as provided in subsection (d) of section 925 of this chapter; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

"(l) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer knowingly to make any false entry in, or to fail to make appropriate entry in, or to fail to properly maintain, any record which he is required to keep pursuant to section 923 of this chapter or regulations promulgated thereunder.

"§ 923 Licensing

"(a) No person shall engage in business as a firearms or ammunition importer, manufacturer, or dealer until he has filed an application with, and received a license to do so from, the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. Each applicant shall be required to pay a fee for obtaining such a license, a separate fee being required for each place in which the applicant is to do business, as follows:

"(1) if a manufacturer—

"(A) of destructive devices and/or ammunition for destructive devices a fee of \$1,000 per year;

"(B) of firearms other than destructive devices a fee of \$500 per year;

"(C) of ammunition for firearms other than destructive devices a fee of \$10 per year.

"(2) If an importer—

"(A) of destructive devices and/or ammunition for destructive devices a fee of \$1,000 per year;

"(B) of firearms other than destructive devices and/or ammunition for firearms other than destructive devices a fee of \$500 per year.

"(3) If a dealer—

"(A) in destructive devices and/or ammunition for destructive devices a fee of \$1,000 per year;

"(B) who is a pawnbroker dealing in firearms other than destructive devices or ammunition for firearms other than destructive devices a fee of \$250 per year;

"(C) who is not a dealer in destructive devices or a pawnbroker, a fee of \$10 per year.

"(b) Upon the filing of a proper application and payment of the prescribed fee, the Secretary may issue to the applicant the appropriate license which, subject to the provisions of this chapter and other applicable provisions of law, shall entitle the licensee to transport, ship, and receive firearms and ammunition covered by such license in interstate or foreign commerce during the period stated in the license.

"(c) Any application submitted under subsections (a) and (b) of this section shall be disapproved and the license denied and the

fee returned to the applicant if the Secretary, after notice and opportunity for hearing, finds that—

"(1) the applicant is under twenty-one years of age; or

"(2) the applicant (including in the case of a corporation, partnership, or association, any individual possessing directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership, or association) is prohibited from transporting, shipping, or receiving firearms or ammunition in interstate or foreign commerce under the provisions of this chapter; or is, by reason of his business experience, financial standing, or trade connections, not likely to commence business operations during the term of the annual license applied for or to maintain operations in compliance with this chapter; or

"(3) the applicant has willfully violated any of the provisions of this chapter or regulations issued thereunder; or

"(4) the applicant has willfully failed to disclose any material information required, or has made any false statement as to any material fact, in connection with his application; or

"(5) the applicant does not have, or does not intend to have or to maintain, in a State or possession, business premises for the conduct of the business.

"(d) Each licensed importer, licensed manufacturer, and licensed dealer shall maintain such records of importation, production, shipment, receipt, and sale or other disposition, of firearms and ammunition at such place, for such period and in such form as the Secretary may by regulations prescribe. Such importers, manufacturers, and dealers shall make such records available for inspection at all reasonable times, and shall submit to the Secretary such reports and information with respect to such records and the contents thereof as he shall by regulations prescribe. The Secretary or his delegate may enter during business hours the premises (including places of storage) of any firearms or ammunition importer, manufacturer, or dealer for the purpose of inspecting or examining any records or documents required to be kept by such importer or manufacturer or dealer under the provisions of this chapter or regulations issued pursuant thereto, and any firearms or ammunition kept or stored by such importer, manufacturer, or dealer at such premises. Upon the request of any State, or possession, or any political subdivision thereof, the Secretary of the Treasury may make available to such State, or possession, or any political subdivision thereof, any information which he may obtain by reason of the provisions of this chapter with respect to the identification of persons within such State, or possession, or political subdivision thereof, who have purchased or received firearms or ammunition, together with a description of such firearms or ammunition.

"(e) Licenses issued under the provisions of subsection (b) of this section shall be kept posted and kept available for inspection on the business premises covered by the license.

"(f) Licensed importers and licensed manufacturers shall identify, in such manner as the Secretary shall by regulations prescribe, each firearm imported or manufactured by such importer or manufacturer.

"§ 924. Penalties

"(a) Whoever violates any provision of this chapter or knowingly makes any false statement or representation with respect to the information required by the provisions of this chapter to be kept in the records of a person licensed under this chapter, or in applying for any license or exemption or relief from disability under the provisions of this chapter, shall be fined not more than \$5,000

or imprisoned not more than five years, or both.

"(b) Whoever, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, or with knowledge or reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year is to be committed therewith, ships, transports, or receives a firearm or any ammunition in interstate or foreign commerce shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

"(c) Any firearm or ammunition involved in, or used or intended to be used in, any violation of the provisions of this chapter, or a rule or regulation promulgated thereunder, or violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5848(1) of said Code, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this chapter.

"§ 925. Exceptions: relief from disabilities

"(a) The provisions of this chapter shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm or ammunition imported for, or sold or shipped to, or issued for the use of the United States or any department, or agency thereof; or any State or possession, or any department, agency, or political subdivision thereof.

"(b) A licensed importer, licensed manufacturer, or licensed dealer who is indicted for a crime punishable by imprisonment for a term exceeding one year, may, notwithstanding any other provisions of this chapter, continue operations pursuant to his existing license (provided that prior to the expiration of the term of the existing license timely application is made for a new license) during the term of such indictment and until any conviction pursuant to the indictment becomes final.

"(c) A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this chapter or of the National Firearms Act) may make application to the Secretary for relief from the disabilities under this chapter incurred by reason of such conviction, and the Secretary may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to conduct his operations in an unlawful manner, and that the granting of the relief would not be contrary to the public interest. A licensee conducting operations under this chapter, who makes application for relief from the disabilities incurred under this chapter by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary grants relief to any person pursuant to this section he shall promptly publish in the Federal Register notice of such action, together with the reasons therefor.

"(d) The Secretary may authorize a firearm or ammunition to be imported or brought into the United States or any possession thereof if the person importing or bringing in the firearm or ammunition establishes to the satisfaction of the Secretary that the firearm or ammunition—

"(1) is being imported or brought in for scientific or research purposes, or is for use in connection with competition or training pursuant to chapter 401 of title 10 of the United States Code; or

"(2) is an unserviceable firearm, other than a machinegun as defined in section

5848(2) of the Internal Revenue Code of 1954 (not readily restorable to firing condition), imported or brought in as a curio or museum piece; or

"(3) is of a type that does not fall within the definition of a firearm as defined in section 5848(1) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes, and in the case of surplus military firearms is a rifle or shotgun; or

"(4) was previously taken out of the United States or a possession by the person who is bringing in the firearm or ammunition:

Provided, That the Secretary may permit the conditional importation or bringing in of a firearm or ammunition for examination and testing in connection with the making of a determination as to whether the importation or bringing in of such firearm or ammunition will be allowed under this subsection.

"§ 926. Rules and regulations

"The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter. The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations. Violation of any provision of this chapter, or rule or regulation promulgated hereunder, shall be grounds for revocation by the Secretary, upon due notice and hearing, of any license issued hereunder.

"§ 927. Effect on State law

"No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State or possession on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State or possession so that the two cannot be reconciled or consistently stand together.

"§ 928. Separability

"If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby."

SEC. 4. The administration and enforcement of the amendment made by this title shall be vested in the Secretary of the Treasury.

SEC. 5. Nothing in this title or amendment made thereby shall be construed as modifying or affecting any provision of—

- (a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954); or
- (b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or
- (c) section 1715 of title 18, United States Code, relating to nonmailable firearms.

SEC. 6. The table of contents to "PART I.—CRIMES" of title 18, United States Code, is amended by inserting after

"43. False personation..... 911"
a chapter reference as follows:

"44. Firearms..... 921"

SEC. 7. The Federal Firearms Act (52 Stat. 1250; 15 U.S.C. 901-910), as amended, is repealed.

SEC. 8. The provisions of this title shall become effective one hundred and eighty days after the date of its enactment; except that repeal of the Federal Firearms Act shall not in itself terminate any valid license issued pursuant to that Act and any such license shall be deemed valid until it shall expire according to its terms unless it be sooner revoked or terminated pursuant to applicable provisions of law.

The letter, presented by Mr. DODD, is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C.
The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Last week the President wrote to you stating his emphatic concern that Congress not stop with a "half-way measure," or enact a "watered-down version" of a gun control law, but that it "give America the Gun Control Law it needs." The enclosed draft bill would carry out the President's request.

The proposed bill differs from Title IV of H.R. 5037, recently passed by this Congress, in two principal respects. First, it imposes restrictions on rifles and shotguns parallel to those that H.R. 5037 imposes on hand guns. These provisions prohibit mail-order purchases, sales to nonresidents, and sales to juveniles. Second, the proposed bill includes provisions to control the interstate shipment of ammunition and the sale of ammunition to juveniles, matters omitted altogether in H.R. 5037. Additionally, the draft embodies a few minor technical refinements.

By recognizing the Federal responsibility to control the indiscriminate flow of firearms and ammunition across State borders, this bill will give States and local communities the capacity and the incentive to enforce effectively their own gun control laws. Once enacted into law, it will ensure that strong local or State laws are not subverted by a deadly interstate traffic in firearms and ammunition.

The President has repeatedly urged Congress to put an end to "mail order murder," and to arrest the violence in our nation by tightening controls over firearms.

The need for immediate action can no longer be ignored. Each year 6,500 murders, 43,000 aggravated assaults, and 60,000 robberies are committed with firearms. Each day, 50 lives—more than one every half-hour—are destroyed by firearms. Since 1900, three-quarters of a million people have died in the United States by firearms, more than in all our wars. In 1967 alone, assaults with a gun rose 22%. One out of every 5 assaults is committed with a gun. Firearms are used in 58% of all robberies.

Nor is this solely a problem of hand guns. Thirty per cent of the homicides each year with firearms are by rifles or shotguns. Between 1960 and 1966, more than 95% of all law enforcement officers killed in the United States were slain with firearms, and one in four of these officers was slain by a rifle or a shotgun. A recent survey of police departments in some 40 cities over a five year period revealed that during the survey period more than 50,000 rifles and shotguns were confiscated from murderers, robbers, juvenile offenders, and others engaging in unlawful activities. Rifles and shotguns have become the chosen instruments of slaughter for snipers and assassins. Any truly effective firearms legislation simply must cover long guns as well as hand guns.

So also it is clear that controlling the distribution of ammunition is as important as regulating the sale of the firearms which use it. In previous firearms bills, including S. 1592 introduced in the last Congress, the President has urged inclusion of ammunition. With an estimated 50 million firearms now privately owned in the Nation, the control of the ammunition they fire is crucial to controlling the abuse of these weapons.

The people of this country have indicated overwhelmingly that they want immediate Federal controls over all kinds of firearms. We have debated the issue beyond reason. The increasing number of violent crimes committed with firearms and the tragic events of the last few months have made it abundantly clear that Congress must act now to help prevent further violence.

The proposed bill is substantially similar to a number of bills sent to the Congress by the President and considered by both cham-

bers during the past two Congresses. These include S. 1592, H.R. 6628 and H.R. 6783 of the 89th Congress, and S. 1—Amendment 90 and H.R. 5384 of the 90th Congress.

The Senate Commerce Committee held two months of hearings on firearms control in 1963 and 1964. The Senate Juvenile Delinquency Subcommittee held hearings on firearms bills in 1963, and again in 1964, 1965, and 1967. The House Judiciary Committee has held hearings on this matter at length in 1965 and again in 1967.

In light of this extensive background, and at the request of the President, I urge the Congress to give immediate consideration to this extremely important legislation. There must be action now, before the Congress adjourns. While the time is short before adjournment, so also is the time short for the country to move to control the principal weapon of crime—the gun.

Sincerely,

RAMSEY CLARK,
Attorney General.

Mr. DODD. Mr. President, I ask unanimous consent that the names of the Senator from Washington [Mr. MAGNUSON], the Senator from Rhode Island [Mr. PASTORE], the Senator from New York [Mr. JAVITS], the Senator from Hawaii [Mr. FONG], the Senator from Florida [Mr. SMATHERS], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Maryland [Mr. BREWSTER] be added as cosponsors to the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. TYDINGS. Mr. President, I ask unanimous consent that my name may be added to the list of cosponsors of the legislation just proposed by the Senator from Connecticut.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, the Senator from Maryland has been a great strength and a strong supporter in this struggle for better gun control legislation. I wish to thank him publicly for his help.

Mr. TYDINGS. I thank the Senator from Connecticut.

Mr. DODD. Mr. President, I ask that the bill lie on the desk throughout the day so that other Senators who wish to do so may add their names as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FONG. Mr. President, the time for the Congress to enact the strongest possible gun control laws is long, long overdue.

America can no longer tolerate the easy access to weapons by immature juveniles, felons, drug addicts, and persons with a record of emotional instability. This Nation can no longer fail to enact legislation—strong and effective, and comprehensive—to control the indiscriminate sale and use of all firearms.

STAGGERING TOLL

The urgency of the need for immediate action cannot be overstated or overemphasized. The toll that guns take annually is a staggering one.

Each year, 6,550 murders, 43,000 aggravated assaults, and 60,000 robberies are committed with firearms. Each year, firearms cause some 19,000 deaths and 100,000 nonfatal injuries.

Each day, it has been estimated that 50 lives—more than one every half-hour—are maimed or destroyed by gunmen.

Incredibly, more than 200,000 have been killed by privately owned firearms since 1900 than have died in all wars in which the United States has been involved. Between 1900 and 1966, guns were responsible for 280,000 murders, 370,000 suicides, and 145,000 deaths by accident—a total of more than three-quarters of a million Americans. In that same period, from the Spanish-American War to Vietnam, American war dead totaled 550,000.

In 1967 alone, 59 percent of all murders were committed with guns—the highest percentage ever recorded; aggravated assaults with a gun rose by 22 percent; and armed robbery increased by 10 percent. One out of every five assaults is committed with a gun, and 58 percent of all robberies involved the use of firearms.

The annual rate of murder by firearms for this country is astronomic when compared to the rates for other civilized nations of the world.

According to Library of Congress figures, the American homicide rate for 1963 was nearly three for every 100,000 population—a rate 55 times the rate for Great Britain, 25 times the rate for Germany, 55 times the rate for Japan, and 90 times the rate for the Netherlands.

During the early 1960's, the average number of firearm homicides per year for Great Britain and Japan was 30—a figure roughly equivalent to the number of firearm murders in our country in 2 days. During the period 1960 to 1963, the Netherlands did not have a single case of murder by firearms.

LAWS INEFFECTIVE

In this country, according to one estimate, some 20,000 laws deal with the manufacture, sale, and use of firearms. But none are effective.

In 41 States and the District of Columbia, one can buy either a rifle or a pistol without a license of any kind; in seven States the law requires a permit to buy a handgun; one State, South Carolina, prohibits the sale of handguns; and two States, Hawaii and New Jersey, now require the registration of all guns by description, serial number, and ownership.

Extremely compelling is the fact that in States which have strong gun control laws, homicides committed with guns are less common than in States with no law or which have ineffective controls. For example: in four States having strong gun control laws, the proportion of murders committed in the last 4 years, according to the FBI report, was well below the national average of 57 percent. In Pennsylvania, firearm murders were 43 percent of the total; in New Jersey, 39 percent; in Massachusetts, 35 percent; in New York, 32 percent. On the other hand, States with minimal controls or no such law had much higher rates; Colorado, 59 percent; Louisiana, 62 percent; Arizona, 66 percent; Montana, 68 percent; Texas, 69 percent; and Nebraska, 70 percent.

Figures for our cities told the same story.

During 1965 hearings of the Judiciary Subcommittee on Juvenile Delinquency, Attorney General Katzenbach pointed out that in Dallas, Tex., and Phoenix, Ariz., where firearms regulations are virtually nonexistent, the percentage of homicides committed by guns in 1963 was 72 percent in Dallas and 65.9 percent in Phoenix.

On the other hand, in cities having strong regulations, the figures were markedly lower: Chicago, 46.4 percent; Los Angeles, 43.5 percent; Detroit, 40 percent; Philadelphia 36 percent; New York, 25 percent.

The only Federal laws concerning firearms—the National Firearms Act of 1934, and the Federal Firearms Act of 1938—have been aptly described by one commentator as “antiquated and impotent legal travesties.”

Even where strong State laws and municipal ordinances on firearms exist, these laws and ordinances are violated wholesale because of the total absence of effective Federal laws. It is astonishingly easy for any resident of a city or State having strict gun laws to circumvent the laws and purchase a weapon—by mail-order sale, or by simply travelling to a neighboring State with a weak or no law and buying a firearm over the counter.

In short, strong local and State laws are subverted with the greatest of ease by the deadly interstate traffic in firearms.

No one can make even a rough guess at how many guns are in private hands in this country. Estimates have ranged from a low of 50 million to a high of 200 million.

It is known, however, that each year 2 million domestically manufactured guns and 1 million imported guns are sold. In other words, in the course of each working day, about 10,000 guns reach private hands.

These are rather frightening statistics.

HANDGUN CONTROL VERY INADEQUATE

The Congress has now taken the first step in the right direction. By approving Federal controls on the Interstate sale and distribution of handguns, we have brought under some degree of regulation the traffic in pistols—weapons designed primarily for the purpose of killing or maiming human beings. To this limited extent, we have advanced the safety of our citizens.

Handgun control represents the least the Congress can do to meet the pressing public interest to protect against unrestricted gun traffic in this country, and if just this much firearms regulatory legislation finally becomes law, it will be the first time in 30 years that any such law has been adopted.

But it is not nearly enough.

When the Senate last month debated the handgun-control title of the crime control bill, I strongly urged—as I have ever since strict comprehensive firearms control was first proposed in 1962—that Federal regulation be extended to cover long guns and shotguns. I feel very, very strongly that the handgun section of the antirime bill falls far short of the strong and effective firearms control legislation so urgently required by the Nation.

Rifles and shotguns are every bit as lethal as handguns. They account for a shocking 30 percent of all gun crimes in this country.

Between 1960 and 1965, more than 95 percent of all law enforcement officers killed in this United States were slain by a rifle or a shotgun.

A recent survey conducted by the Senate Judiciary Subcommittee on Juvenile Delinquency, of which I am a member, showed that during the years 1960 through 1965, according to the police departments of 40 of our major cities, including Honolulu, 805 rifles and shotguns were confiscated from juveniles, 1,210 rifles and shotguns were used to commit murder, 2,908 rifle and shotgun robberies were committed, 4,179 assaults were committed with shotguns and rifles, 23,130 rifles and shotguns were confiscated from persons involved in illegal activities, and 4,478 long guns were seized on illegal weapons charges. A total of 50,745 cases were ones in which long guns were used in crimes of violence or other illegal activities.

According to the FBI Uniform Crime Report for 1966, 1,747 persons were murdered in the United States with rifles and shotguns that year.

In a report dated August 11, 1967, the Director of the Alcohol and Tobacco Tax Division wrote that the strongest argument for including long guns in a firearms control law is the fact that they can be, frequently are, converted into concealable weapons for criminal use.

We have reviewed 200 recent firearms violation case reports—

He said—

and found that there were 98 sawed-off shotguns and 14 sawed-off rifles out of a total of 207 guns involved in these cases.

It seems obvious to me that if strict controls are imposed on handguns without imposing similar restrictions on long guns, the criminal element will continue to have ready access to concealable weapons by the simple expedient of purchasing an uncontrolled long gun and converting it into a handgun.

Rifles and shotguns have become the chosen instrument of murder for snipers and assassins.

Our law enforcement authorities across the Nation—including the chiefs of police of our biggest cities—have implored the Congress to enact legislation to control the long gun.

And now the President has once again appealed to the Congress for such legislation.

COSPONSOR ADDITIONAL FIREARMS LEGISLATION

For all the reasons I have cited, and for the overriding reason that the public interest demands it, I have cosponsored legislation to control the sale and distribution of rifles and shotguns—(S. 3604, S. 3605, and S. 3633).

As I have done so repeatedly in the past, I once again join my distinguished colleague from Connecticut [Mr. Dodd]—who for so long has ably championed this cause in the Senate—in strongly supporting efforts to pass a long gun control measure.

In addition to this bill, I am also cosponsoring the administration's long

gun control measure. Besides providing for long gun regulations, the administration bill would control the interstate shipment of ammunition and its sale to juveniles.

Regulating the interstate flow of ammunition, I am convinced, should be every bit as stringent as firearms controls. These provisions are rightly included in the bill.

While these proposals would go a long way to control the future sale of firearms, there still remains the problem of the millions of weapons which are now extant in the land—possibly many thousands of them in the hands of criminals, drug addicts, juveniles, the mentally unstable, and political extremists.

I am therefore cosponsoring a bill to require the compulsory Federal registration of all firearms. Like all civilized nations of the world, America must make registration of all guns mandatory.

In summary, the bill would provide as follows:

First, it calls for compulsory Federal registration of all firearms under administrative machinery to be set up by the Secretary of the Treasury.

Second, it exempts those States which have or will have laws requiring compulsory registration.

Third, it establishes a nominal registration fee of one dollar to cover the cost of administering the registration program.

Fourth, it provides for a period of 90 days after the law is enacted before it becomes effective. This will make it possible to set up the necessary administrative machinery before registration begins.

Fifth, it provides for a registration period that will commence 90 days after its enactment and will extend for a period of 6 months thereafter.

Sixth, it grants an amnesty from prosecution under this act to all persons who come forward to turn in their firearms before the close of the registration period.

Seventh, it establishes a penalty of a maximum of up to 2 years in prison and \$2,000 fine, or both, for those who are found in possession of unregistered firearms after the close of the registration period.

It is evident from this outline that no law-abiding citizen who wishes to have a firearm would be barred from its purchase under this bill, which is patterned after the firearms registration laws of other civilized nations.

Certainly, firearms registration requirements are no more objectionable, and no less necessary, than motor vehicle registration and the licensing of motor vehicle operators.

The bill is clearly an eminently reasonable one which is, at the same time, simple and workable.

BILLS SHOULD HAVE HIGHEST PRIORITY

Mr. President, these proposals—tough, comprehensive, and feasible—are the very bills I have been calling for all these years.

It has long been very evident to me that any truly effective firearms legislation simply must cover long guns as well as hand guns, provide for control

of ammunition sales, and require national registration of all weapons.

None of these proposals imposes any inconvenience whatsoever on hunters and sportsmen. They do, however, frustrate the juveniles, the felons, and the fugitives who can today, with impunity and anonymity, buy firearms whenever and in whatever quantity they may desire.

The people of this Nation have given the Congress a very clear mandate for the immediate enactment of precisely the kind of legislation I have today cosponsored.

Two public opinion polls in the last 2 years underline this fact most emphatically.

In September 1966, the Gallup poll reported 68 percent of all Americans favored legislation making a police permit a prerequisite to any firearm purchase. The Harris poll released April 23, 1968, showed that public support of such a regulation had mounted to 71 percent—nearly three out of every four Americans favoring legislation to control the sales of firearms “such as making all persons register all gun purchases no matter where they buy them.”

Quite significantly, both polls indicated that most gunowners themselves support Federal firearms control, including registration. Gallup reported 56 percent of all gunowners favored such a law; Harris registered support by a better than 2-to-1 margin, 65 to 31 percent.

The International Association of Chiefs of Police, representing law enforcement officers from across the Nation, have overwhelmingly endorsed a strong and comprehensive law. So have the American Bar Association, the National Association of Citizens Crime Commissions, and the President's Commission on Law Enforcement and Administration of Justice.

These bills, substantially similar to measures introduced in past sessions of Congress, have been the subject of very extensive hearings since 1963. The Senate Commerce Committee held 2 months of hearings on firearms control in 1963 and 1964. The Juvenile Delinquency Subcommittee held lengthy hearings on firearms bills in 1963, and again in 1964, 1965, and 1967.

I call upon the Senate leadership to assign these proposals its highest priority; the Senate should give its immediate consideration to them; the Congress must enact them before we adjourn.

Enactment of any one or even all of these measures would not, of course, prevent all murders for all time; nor would even the most stringent firearms regulations end the incidence of all other crimes.

The senseless killings and assaults by firearms now plaguing the Nation would, however, most assuredly be drastically reduced. Many lives, I am sure, would be saved.

The ethic upon which our Republic was founded is clear in rendering the life or death of any one of its citizens a matter of the greatest significance. Our heritage of the sanctity of human life—the transcendent concern for the individual—permeates the very fabric of our national existence.

Consonant with this ethic, and in keeping with our heritage, these bills should be enacted into law—and it should be done with urgency and with expedition.

ORDER OF BUSINESS

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Arizona.

ORDER PROVIDING FOR INCREASE IN COMPENSATION OF OFFICERS AND EMPLOYEES OF THE SENATE EFFECTIVE JULY 1, 1968

Mr. HAYDEN. Mr. President, acting in my capacity as President pro tempore and under authority vested by section 212 of the Federal Salary Act of 1967, I have on this date signed an order providing for an increase in the compensation of officers and employees of the Senate, effective July 1, 1968. I send to the desk a copy of this order and I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the order was ordered to be printed in the Record, as follows:

U.S. SENATE,

OFFICE OF THE PRESIDENT PRO TEMPORE.

By virtue of the authority vested in me by section 212 of the Federal Salary Act of 1967 (81 Stat. 634), it is hereby

Ordered, That (a) (1) effective July 1, 1968, the annual rate of gross compensation of each officer or employee whose compensation is disbursed by the Secretary of the Senate (i) shall be increased by 5.85 per centum, and (ii) as so increased, shall be adjusted to the nearest multiple of \$199. As used in this subsection, the term “officer” does not include a Senator.

(2) No annual rate of gross compensation which is \$28,000 or more shall be increased under this subsection, and no annual rate of gross compensation shall be increased under this subsection to an amount in excess of \$28,000.

(b) In any case in which the rate of compensation of any officer, employee, or position, or class of officers, employees, or positions, the compensation for which is disbursed by the Secretary of the Senate, or any minimum or maximum rate with respect to such officer, employee, position, or class is referred to in or provided by statute or Senate resolution, such statutory provision or resolution shall be deemed to refer to the rate which an officer or employee subject to the provisions of subsection (a) receiving such rate immediately prior to the effective date of the increase provided by such subsection would be entitled (without regard to such statutory provision or resolution) to receive on and after such date.

(c) The annual rate of gross compensation of each employee in the office of a Senator shall be adjusted, effective on July 1, 1968, to the lowest multiple of \$199 which is not lower than the rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before June 30, 1968, the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased, such notice shall be deemed to have been given.

(d) The table contained in section 105(d)

(1) of the Legislative Branch Appropriation Act, 1968, as amended, shall be deemed on and after July 1, 1968, to read as follows:

"\$210,940 if the population of his State is less than 3,000,000;

"\$224,870 if such population is 3,000,000 but less than 4,000,000;

"\$236,810 if such population is 4,000,000 but less than 5,000,000;

"\$247,755 if such population is 5,000,000 but less than 7,000,000;

"\$259,695 if such population is 7,000,000 but less than 9,000,000;

"\$273,625 if such population is 9,000,000 but less than 10,000,000;

"\$287,555 if such population is 10,000,000 but less than 11,000,000;

"\$301,485 if such population is 11,000,000 but less than 12,000,000;

"\$315,415 if such population is 12,000,000 but less than 13,000,000;

"\$329,345 if such population is 13,000,000 but less than 15,000,000;

"\$343,275 if such population is 15,000,000 but less than 17,000,000;

"\$358,200 if such population is 17,000,000 or more."

(e) The limitation on gross rate per hour per person provided by applicable law on July 1, 1968, with respect to the folding of speeches and pamphlets for the Senate is hereby increased, effective on such date, by 5.85 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) shall not apply to employees whose compensation is subject to such limitation, or to employees referred to in the last proviso in the second paragraph under the heading "SENATE" in the Second Deficiency Appropriation Act, 1948.

(f) The figure "\$188" contained in section 105(a)(1) of the Legislative Branch Appropriation Act, 1968, as amended, shall be deemed on and after July 1, 1968, to refer to the figure "\$199".

(g) Except as provided in section 2(b) of this Order, whenever the figures "\$1,128", "\$6,392", "\$11,092", "\$11,280", "\$14,852", "\$15,040", "\$16,356", "\$16,544", "\$18,988", "\$23,312", "\$24,440", and "\$25,568" appear in section 105 of such Act, they shall be deemed on and after July 1, 1968, to refer to the figures "\$1,194", "\$6,766", "\$11,741", "\$11,940", "\$15,721", "\$15,920", "\$17,313", "\$17,512", "\$20,099", "\$24,676", "\$25,870", and "\$27,064", respectively.

(h) The figure "\$564" contained in the first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended (2 U.S.C. 60j), shall be deemed on and after July 1, 1968, to refer to the figure "\$597".

(i) The figure "\$6,256" contained in section 5533(c)(1)(A) of title 5, United States Code, insofar as it relates to individuals whose pay is disbursed by the Secretary of the Senate, shall be deemed on and after July 1, 1968, to refer to the figure "\$6,622".

SEC. 2. (a) If the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased effective on or before May 31, 1969, to \$30,000 or more, the annual rates of gross compensation of the Secretary of the Senate, the Sergeant at Arms, the Secretary for the Majority, the Secretary for the Minority, the Parliamentarian, the Chief Clerk, the Financial Clerk, the Chief Reporter of Debates, the Legislative Counsel, and the four Senior Counsel in the Office of the Legislative Counsel (1) shall be increased to the amounts to which such rates would have been increased and adjusted under subsection (a) of the first section except for the provisions of paragraph (2) thereof, and (ii) (A) such rates, as so increased and adjusted, (B) the annual rates of gross compensation of the seven Reporters of Debates,

the Deputy Sergeant at Arms, the Administrative Assistant to the Sergeant at Arms, the Assistant Financial Clerk, and the Director, Recording Studio, and (C) the maximum rates of gross compensation authorized for the present incumbent of the office of Secretary for the Majority and for the Assistant Secretary for the Majority, the Assistant Secretary for the Minority, the Research Assistant to the Majority Leader, the Research Assistant to the Minority Leader, the Assistant to the Majority and the Assistant to the Minority in the Office of the Secretary, the Assistant Parliamentarian, the Legislative Clerk, and the Journal Clerk, shall be increased on the first day of the month following the effective date of such increase in the rate for positions in level V by 5 per centum. Such rates, as increased under clause (ii), shall be adjusted to the nearest multiple of \$199.

(b) If the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased effective on or before May 31, 1969, to \$30,000 or more, the figures "\$20,099", "\$24,676", "\$25,870", and "\$27,064" contained in subsection (g) of the first section shall be deemed on and after the first day of the month following the effective date of such increase to refer to the figures "\$21,492", "\$26,069", "\$27,263", and "\$28,457", respectively.

(c) If the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased effective on or before May 31, 1969, to \$30,000 or more, each amount contained in the table referred to in subsection (d) of the first section shall be increased on the first day of the month following the effective date of such increase in the rate for positions in level V by \$6,965.

CARL HAYDEN,
President pro tempore.

JUNE 12, 1968.

S. 3634—INTRODUCTION OF NATIONAL GUN CRIME PREVENTION ACT OF 1968

Mr. TYDINGS. Mr. President, I am today introducing, for appropriate reference, a bill to assist State and local law enforcement agencies in preventing and solving gun crimes. The bill is entitled the "National Gun Crime Prevention Act of 1968."

Basically, the bill carries out the recommendations of the National Crime Commission report.

The time has arrived to stop talking about effective gun control. The time to act is here. The American people are demanding strong and responsible gun control. During the past 3 days I have received 205 telegrams, 363 telephone calls, and 2,183 letters—2,751 messages in all—which, with only 68 exceptions, all ask for strong gun control.

Mr. President, our mail is not the only evidence that the American people want effective gun control.

The Gallup poll reported on June 8 that:

The public, gunowners and non-gunowners alike . . . favor a law requiring the registration of all guns, a law banning the sale of all guns through the mails, and strict restrictions on the use of guns by persons under 18 years of age.

According to the Harris poll, 85 percent of the public favors strong gun control legislation.

Law enforcement officials throughout the Nation are demanding—for society's protection and their own—strong gun control. Chief Thomas Reddin, of Los Angeles, said in the aftermath of last week's tragedy, that we must have gun control.

J. Edgar Hoover has written:

There is no doubt in my mind that the easy accessibility of firearms is responsible for many killings, both impulse and premeditated. The statistics are grim and realistic. Strong measures must be taken, and promptly, to protect the public.

Quinn Tamm, director of the International Association of Chiefs of Police has written:

Law-abiding citizens and the police are tired of living in a country which is becoming a veritable armed camp, erupting too frequently into violence, bringing death and destruction by firearms to innocent citizens . . . The ease with which any person can acquire firearms . . . is a significant factor in the prevalence of lawlessness and violent crime in the United States.

The Director of the FBI, the President's Commission on Law Enforcement and the Administration of Justice, the International Association of Police Chiefs, the National Council on Crime and Delinquency, the American Bar Association—all of these organizations and many more—as well as 85 percent of the American people are demanding an end to our firearms anarchy.

I ask my colleagues—Can we really afford to wait? Must we endure more tragedies, more weeks like last week before we act?

The bill I am introducing today—the Gun Crime Prevention Act of 1968—will provide, as recommended by the President's Crime Commission, for registration of every firearm in the United States—a simple registration. It will also require a license for the purchase or possession of any firearm and ammunition in the United States.

This legislation is specifically structured to encourage the States to provide these protections for the public, but if the States fail to act, then the Federal Law will protect the public.

This bill will deny a license to purchase or possess firearms and ammunition to anyone convicted of a felony or a misdemeanor involving violence. It will deny firearms to aliens, alcoholics, narcotics addicts, mental incompetence, and juveniles. But it will impose no significant burden on law-abiding gun owners, hunters, hobbyists, and sportsmen.

I ask my colleagues to study the bill closely because, without question, it will be the subject of a propaganda drive of massive misrepresentation throughout the United States by the National Rifle Association.

I might add that my love of hunting and shooting is second to none in this Chamber. My marksmanship is not so expert as that of the distinguished Presiding Officer now in the chair [Mr. TALMADGE]. But I love to shoot. I learned to shoot at my father's knee. My son is learning to shoot at my knee.

My bill represents moderate responsible gun control legislation. It will not,

in any way, injure the law-abiding citizen, the law-abiding sportsman, or the homeowner who wishes to protect his home.

Mr. President, some will call this bill too tough. Certainly, it is the strongest firearms control bill yet introduced in Congress. It is complementary to the bill just introduced by the Senator from Connecticut [Mr. Dodd] and others. But in view of what has happened in our Nation and to our Nation, and in view of what happens every day in this Nation, I do not feel that we can do less.

A brief glance at some of the statistics on gun crime shows the need for this bill:

1. Homicide by gun:
 - a. 1964: 5,090 gun murders, 55% of the total homicides.
 - b. 1965: 5,634 gun murders, 57% of the total homicides.
 - c. 1966: 6,552 gun murders, 60% of the total homicides.
2. Rifle and shotgun murders (about 30% of the annual total):
 - a. 1964: 1,527 long gun murders.
 - b. 1965: 1,690 long gun murders.
 - c. 1966: 1,747 long gun murders.
3. Gun homicide rates in states with strong gun laws vs. states with weak gun laws (four year period 1962-1965—Overall homicide rate per 100,000 population in parenthesis).

STRONG LAW

- Pennsylvania: 43.2% of all murders (3.2).
- New Jersey: 38.6% of all murders (3.5).
- New York: 31.8% of all murders (4.8).
- Massachusetts: 35.3% of all murders (2.4).
- Rhode Island: 24.0% of all murders (1.4).

WEAK LAW

- Florida: 66.0% of all murders.
- Arizona: 66.4% of all murders (6.1).
- Nevada: 66.9% of all murders (10.6).
- Texas: 68.7% of all murders (9.1).
- Mississippi: 70.9% of all murders (9.7).
- Louisiana: 62.0% of all murders (9.9).

4. Law enforcement officers killed in line of duty:

a. Since 1960, firearms have been the weapon in 96% (322) of all 335 murders of police officers.

b. In 1966, 57 police officers were killed in the line of duty, and 55 of them were killed with firearms.

c. Of the 335 officers killed, 53 were killed in the Northeastern states, 60 in western states, 71 in North Central states, and 151 in southern states. (The most stringent gun control laws exist in Northeastern states, and the weakest in southern states.)

5. Aggravated assault by gun:

- a. 1964: 27,700
- b. 1965: 34,700
- c. 1966: 43,500

During the three years, 1964-66, assaults with a gun increased 36%. Regionally, 11.7% of the aggravated assaults committed in Northeastern states were committed with a gun; 18.5% in Western states; 19.2% in North Central states; and 23.5% in Southern states.

6. Armed robbery by gun:

- a. 1964: 42,600
- b. 1965: 52,000
- c. 1966: 59,300

7. Firearms control in other nations:

a. Britain requires a certificate from local police before a long gun can be purchased.

b. In a recent three-year period in England and Wales, of the 400,000 criminals arrested, only 159 were carrying guns.

c. In England, guns are used in 10% of the homicides; in the United States, 60%.

d. France requires police permits for handguns and military rifle purchases.

e. Sweden requires a need for a gun, and demonstrated knowledge of its use.

f. Germany issues permits only to regis-

tered hunters and members of shooting clubs.

g. Japan prohibits entirely private ownership of guns.

h. Canada requires registration of all handguns.

8. Comparative gun fatalities in sixteen nations:

TOTAL NUMBER AND RATE PER 100,000 POPULATION

Country (Year is the latest for which figures are available)	Homicide		Suicide		Accident	
	Number	Rate	Number	Rate	Number	Rate
United States, 1963.....	5,126	2.7	9,595	5.1	2,263	1.2
Australia, 1963.....	61	.56	336	3.1	87	.80
Belgium, 1963.....	24	.26	64	.69	10	.11
Canada, 1963.....	99	.52	556	2.9	150	.8
Denmark, 1962.....	6	.13	59	1.3	15	.32
England and Wales, 1963.....	24	.05	161	.34	77	.16
France, 1962.....	584	1.3	777	1.7	265	.56
German Federal Republic, 1962.....	68	.12	438	.80	93	1.17
Ireland, 1963.....			7	.25	15	.53
Italy, 1962.....	351	.70	362	.73	181	.36
Japan, 1962.....	37	.04	93	.10	90	.09
Netherlands, 1963.....	3	.03	11	.09	4	.03
New Zealand, 1962.....	4	.17	39	1.7	6	.26
Scotland, 1963.....	3	.06	20	.38	13	.25
Sweden, 1963.....	8	.11	163	2.1	27	.36
Switzerland, 1962.....					26	.46

Gun homicide rates in States with strong gun laws versus States with weak gun laws show a marked contrast. In those States with strong gun laws, the gun murder rate is substantially lower than in those States with weak laws.

In Pennsylvania, with a relatively strong law, 43.2 percent of all murders are gun murders. In New Jersey, 38.6 percent of all murders are gun murders. In New York, 31.8 percent. In Massachusetts, 35.3 percent. In Rhode Island, 24 percent.

Those are States with at least minimal gun regulations.

Now let us look at those States with no laws or weak laws: Florida, 66 percent of all murders are by gun. Arizona, 66.4 percent. Nevada, 66.9 percent. Texas, 68.7 percent. Mississippi, 70.9 percent. Louisiana, 62 percent.

Mr. President, in these days we think no sacrifice too great for our police officers. We do not hesitate to call them to become sociologists, traffic directors, and community relations counsellors as well as courageous protectors of public order; and yet, since 1960, there have been 335 murders of police officers in this country, and 96 percent were by gun.

In 1966, 57 police officers were killed in the line of duty, and 55 of them were killed with firearms.

These next statistics are very interesting. Of the 335 police officers murdered by gun in the United States since 1960, only 53 police officers were shot down with guns in the Northeastern States, which have highly populated areas but relatively strong gun laws. In the Southern States, with much less population and little gun legislation to speak of, 151 police officers were shot down with guns.

It is interesting to note that some of the most stringent gun control laws exist in the Northeastern States and some of the weakest in the Southern States.

It is interesting to take a look at firearms control in other "civilized" nations of the Western World.

Britain requires a certificate from local police before a handgun or a rifle can be purchased. In a recent 3-year period in England and Wales, of the 400,000 criminals arrested, only 159 were carrying guns.

In England guns are used in 10 percent of the homicides; in the United States, in 60 percent of the homicides.

France requires police permits for handguns and military rifles.

Sweden requires a need for a gun and demonstrated knowledge of its use.

Germany issues permits only to registered hunters and members of shooting clubs.

Japan prohibits entirely private ownership of guns.

Canada requires registration of all handguns.

I have a little chart here, Mr. President, which gives the comparative gun fatalities in 16 nations of the Western World. I would like to read them, because they are illustrative. We will start with the United States and use the United States as a base. The rate is per 100,000 population.

In 1963, the homicide rate—the gun murder rate—in the United States per 100,000 population was 2.7; five times the rate of Australia; 10 times the rate of Belgium; five times the rate of Canada; 20 times the rate of Denmark; 54 times the rate of Great Britain; 23 times the rate of the German Federal Republic; 67 times the rate of Japan; 90 times the rate of the Netherlands.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. TYDINGS. I am delighted to yield.

Mr. HOLLAND. Does the Senator have the figures indicating what percentage or what number of those murders were by handguns and what number by long guns?

Mr. TYDINGS. I have the ratio only for the United States.

Mr. HOLLAND. I mean in the United States.

Mr. TYDINGS. Approximately 30 percent by long guns in the United States and 70 percent by handguns.

Mr. HOLLAND. I thank the Senator.

Mr. TYDINGS. Mr. President, in 1963 there were 5,126 gun murders in the United States.

In Denmark there were six.

In England and Wales there were 24.

In Belgium there were 24.

In Japan there were 37.

There were three in the Netherlands.

There were four in New Zealand.

There were eight in Sweden.

And yet—I repeat—5,126 gun murders in the United States.

Mr. President, the bill I am introducing is called the Gun Crime Prevention Act of 1968. It is complementary to the President's gun sales legislative proposal, introduced by the Senator from Connecticut, and which has been before the Congress every year since I have been in the Senate. But unlike the President's gun sales bill, my proposal applies to possession and the use of firearms. It is designed to take guns out of the hands of the lawless elements of this country and thus help reduce the staggering and tragic gun crime problem we face.

My proposal applies both to firearms and ammunition. It will require the registration, by a simple form, of every firearm now in the United States and all firearms produced in or imported into this country in the future, and the reregistration or transfer each time a firearm changes hands.

Mr. President, that is a basic law-enforcement need—to be able to locate where the firearms are in this country. Fortunately, California was one of those States which had at least registration statute for initial sales. That is how the name of the accused in the assassination of Senator Kennedy, our colleague, was discovered.

Registration is a bare minimum of assistance for police officers.

In addition, my bill will also require a license for the transfer or possession or purchase of any firearm or any ammunition used in a firearm.

It will disqualify from gun ownership, felons, aliens, those convicted of misdemeanors involving violence, drug addicts, alcoholics, the mentally incompetent, and juveniles.

The Gun Crime Prevention Act will not disarm law-abiding citizens who own guns. It will not significantly inconvenience law-abiding hunters, sportsmen, collectors, or other gun fanciers, any more than the obtaining of a license for an automobile owner inconveniences the automobile driver.

It will not nullify any State gun law, and will provide specifically that any State can preempt this legislative proposal by enacting a State law equally as effective for registration and licensing of firearms.

The entire purpose and thrust of this legislation is to encourage and persuade the legislatures across the Nation to provide this minimal assistance to law enforcement.

I might point out, parenthetically, Mr. President, that with the exception of New Jersey, no State in the past several decades has been able to enact any gun legislation which has been opposed by the National Rifle Association and their gun lobby.

If a State does not preempt the field, then the Federal law created by this bill would apply, and would protect from gun crimes the people of that State and visitors to that State.

The bill provides for registration of all firearms within a year from the effective date of the act. It provides that all transfers of firearms will be registered after

the effective date of the act. The effective date will be 180 days after enactment of the bill.

Anyone who owns a firearm will be able to register a firearm, and, in fact, every owner will be required to do so. This is to provide a record of the serial number, kind of weapon, and its owner for every firearm in the Nation.

In addition, every person who wishes to keep or use a firearm or ammunition 1 year after the act takes effect will have to apply for a license to do so. To obtain a license, all a person need do is to affirm on a form that he is over 18 years old, is a citizen, is not a felon or under indictment for a felony, has not been convicted of a misdemeanor involving violence, and has never been committed to an institution by a court for drug addiction, alcoholism, or mental incompetence.

In addition, an applicant will have to submit a photograph and fingerprints with his application, so that his identity can be firmly established and his freedom from a criminal record confirmed. But in a State or part of a State where the photograph-fingerprint requirement is impractical—as in a sparsely populated area—the Governor of the State can apply to have either or both of these requirements waived.

The Secretary of the Treasury will administer the act, except where a State enacts as effective a law. In that case, of course, the Federal law will not apply; the State law will preempt. Under the bill, the Secretary may borrow the services of other agencies of Government—such as the Post Office—to administer the act. I contemplate that both registration and licensing under this bill can be conducted through post offices all over the country, because basically all it will require is filling out and signing your name to a form, and, in the case of licensing, supplying a photograph and your fingerprints.

The bill further provides the means for disposing of some of the more than 100 million guns now in private hands in this country, when their owners no longer want them or do not or cannot qualify for a license to possess a firearm under the act. In either case, the bill authorizes the Secretary to buy up and destroy those weapons.

Finally, the bill provides stringent penalties for its violation in order to severely discourage gun possession by felons, addicts, aliens, and juveniles.

The Gun Crime Control Act is a moderate, but effective, measure to meet the nationwide gun crime crisis we face.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the National Crime Commission report, beginning on page 240 with the heading "Limited Effectiveness of Present Laws," and ending, at the end of page 243, with the recommendations of the Commission.

There being no objection, the excerpt from the Crime Commission Report was ordered to be printed in the RECORD, as follows:

LIMITED EFFECTIVENESS OF PRESENT LAWS

At first glance, the combined regulatory machinery established by these firearms laws may appear to provide sufficient control. This appearance is misleading. A 1966 Federal Bu-

reau of Investigation survey of the chief administrators of police departments in 10 large cities discloses that all but one believe that the easy accessibility of firearms is a serious law enforcement problem.

On the Federal level, the statutes do little to control the retail and mail-order sale of handguns, rifles, and shotguns. The provision of the Federal Firearms Act of 1938 prohibiting Federal licensees from transporting firearms into States in violation of State laws requiring a permit to purchase firearms has an extremely limited effect. Only eight States have enacted permit laws. If there are local ordinances within a State, but no State law, the Federal provision does not apply. The prohibition against transport of firearms to, or receipt by, felons or fugitives applies only to direct interstate shipment and does not prevent such persons from buying firearms locally after they have been transported from another State. Despite the Federal laws, therefore, practically anyone—the convicted criminal, the mental incompetent, or the habitual drunkard—can purchase firearms simply by ordering them in those States that have few controls.

Strict controls by one State or city are nullified when a potential criminal can secure a firearm merely by going into a neighboring jurisdiction with lax controls, or none at all. While information is sparse, there are strong indications that mail-order houses and other out-of-State sources provide a substantial number of guns to those who commit crimes. One study by the Massachusetts State Police showed that 87 percent of concealable firearms used during the commission of crimes in Massachusetts in a recent year were obtained from sources outside the State.

In order to prevent criminal use of firearms, the police must have some way of following weapons into the hands of the ultimate consumer. But only in four States do police agencies have a method of determining who owns firearms and where they are located. The requirement that each person register firearms—a tool available to law enforcement in almost every industrial nation in the world—has been compared with the State control of automobiles and drivers. At a time when there were very few automobiles, registration was not thought necessary. When automobiles became so numerous that they posed a serious physical threat to society, comprehensive registration was felt to be essential.

A final failing in the present system of control is the ease with which extremely low-priced, and therefore widely available, surplus weapons are brought into the United States from foreign countries. At the present time it is estimated that at least 1 million such weapons are reaching the civilian market each year. During the recent hearings of the Senate Subcommittee on Juvenile Delinquency, law enforcement officials testified that foreign imports accounted for a significant percentage of the total number of firearms coming into their possession as a result of having been used in the commission of crimes. The figures ranged from a low of 18 percent in Washington, D.C., to a high of 80 percent in Atlanta, Ga.

The limited statutory framework within which the State Department must operate prevents any effective control over the importation of firearms. If the import in question does not involve machineguns, sawed-off shotguns, or the other weapons covered by the 1934 National Firearms Act, each transaction is approved routinely, as long as the dealer is a bona fide businessman engaged in a bona fide business transaction.

PUBLIC OPINION ABOUT FIREARMS CONTROL

Public opinion on the subject of firearms control has been sampled several times in the last few years by the Gallup Poll. According to the 1966 poll, a substantial majority of persons interviewed—67 percent—

said they favored "a law which would require a person to obtain a police permit before he or she could buy a gun." Even when the same question was put to firearms owners, a majority—56 percent—indicated that they favored police permits to purchase guns.

A second question asked by the Gallup Poll was directed to the problem of guns and juveniles. "Which of these three plans would you prefer for the use of guns by persons under the age of 18— forbid their use completely; put strict regulations on their use; or continue as at present with few regulations?" In response, 27 percent of those questioned and 17 percent of firearms owners said they favored completely forbidding the use of guns by persons under 18; 55 percent of all persons and 59 percent of gun owners said they favored strict regulation; and 15 percent of all persons and 22 percent of the gun owners wanted to continue as at present.

On the question of outlawing all handguns except for police use (a question last asked in 1959) 59 percent of the sample were in favor and 35 percent were opposed.

THE CONTROVERSY ABOUT FIREARMS CONTROL

While the majority of the public favors reasonable firearms control, the National Rifle Association and other citizen groups have provided an effective legislative lobby to represent those hunters, gun collectors, and other persons who oppose additional regulation. Many arguments are offered by this opposition.

The most emotional position—one this Commission must reject outright—is that licensing and registration provisions for handguns, rifles, and shotguns would disarm the public and thus render it easy prey for violent criminals, or an invading or subversive enemy. In fact, all proposals for regulation would permit householders and shopkeepers to continue to possess firearms. Licensing and registration for the legitimate firearms owner would merely add a small measure of inconvenience to the presently largely unregulated mail-order and over-the-counter sales of firearms. It is this inconvenience that appears to be the underlying reason for the opposition to more firearms control. Opponents suggest that laws calling for registration would penalize the law-abiding citizen, who would comply—while not touching criminals who would not comply. They thus conclude that such laws do not address themselves to the real problem of firearms misuse.

Those supporting stricter control of firearms agree that many potential criminal offenders will obtain firearms even with additional laws. But they point to the conclusion of the Senate Subcommittee on Juvenile Delinquency, which found that criminals, for the most part, purchase their firearms through the mails or in retail stores, rather than stealing them. One police chief from a large western city told an FBI survey that, after permissive State legislation had preempted local controls, there were "several instances of homicide committed within 30 minutes of the time a short firearm was purchased by a person who would not have been granted a permit to purchase one under the former legislation."

During the first year's operation of a Philadelphia ordinance requiring a permit to obtain a firearm, 73 convicted persons were prohibited from purchasing firearms in the city. Federal Bureau of Investigation statistics demonstrate that a higher proportion of homicides are committed with firearms in those areas where firearms regulations are lax, than in those areas where there are more stringent controls. In Dallas, Tex., and Phoenix, Ariz., firearms regulations are fairly weak. In Dallas in 1963, 72 percent of homicides were committed with firearms; in Phoenix 65.9 percent were committed with firearms. In Chicago, where reg-

ulations are more strict, 46.4 percent of the homicides were committed with firearms. In New York City, with the most stringent gun controls of any major city in the United States, only about 25 percent of the homicides are committed with firearms.

Opponents of additional controls contend that firearms are dangerous only if misused and that the appropriate legal remedy is to punish illegal use of firearms—not to hamper ownership. Supporters of control argue that it is not enough to rely on the deterrent effect of punishing the wrongdoer after the act to prevent others from misusing guns. They maintain that firearms should be kept out of the hands of those who intend to use them wrongfully.

Opponents of firearms control legislation also rely upon the Second Amendment's guarantee of "the right to bear arms." The Second Amendment, in its entirety, states:

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

The U.S. Supreme Court and lower Federal courts have consistently interpreted this Amendment only as a prohibition against Federal interference with State militia and not as a guarantee of an individual's right to keep or carry firearms. The argument that the Second Amendment prohibits State or Federal regulation of citizens ownership of firearms has no validity whatsoever.

COMMISSION RECOMMENDATIONS

Since laws, as they now stand, do not accomplish the purposes of firearms control, the Commission believes that all States and the Federal Government should act to strengthen them. Any legislative scheme should maximize the possibility of keeping firearms out of the hands of potential criminal offenders, while at the same time affording citizens ample opportunity to purchase such weapons for legitimate purposes.

It is appropriate to ban absolutely the sale of those weapons no citizen has a justifiable reason for owning.

The Commission recommends: Federal and State Governments should enact legislation outlawing transportation and private possession of military-type firearms such as bazookas, machine guns, mortars, and anti-tank guns.

In addition, dangerous or potentially dangerous persons should be prohibited from purchasing firearms.

The Commission recommends: States should enact laws prohibiting certain categories of persons, such as habitual drunkards, drug addicts, mental incompetents, persons with a history of mental disturbance, and persons convicted of certain offenses, from buying, owning, or possessing firearms.

Prevention of crime and apprehension of criminals would be enhanced if each firearm were registered with a governmental jurisdiction. A record of ownership would aid the police in tracing and locating those who have committed or who threaten to commit violent crime. Law enforcement officers should know where each gun is and who owns it.

The Commission recommends: Each State should require the registration of all handguns, rifles, and shotguns. If, after 5 years, some States still have not enacted such laws, Congress should pass a Federal firearms registration act applicable to those States.

Government regulation to prevent those with criminal purposes from purchasing firearms cannot be effective as long as mail-order sales and retail sales to persons living outside the seller's State are not controlled. It is essential, also, to reduce and to regulate the importation into the United States of large numbers of cheap firearms. Since sporting weapons such as rifles and shotguns apparently present less danger of criminal use than do handguns, control over the latter should be more stringent. A truly effective

system of regulation requires a meshing of State and Federal action.

The Commission recommends: Each State should require a person to obtain a permit before he can either possess or carry a handgun. Through licensing provisions, Federal law should prohibit mail-order and other interstate sales of handguns and should regulate such sales of rifles and shotguns.

Federal legislation to implement these goals should prohibit the interstate shipment of handguns except between federally licensed importers, manufacturers, and dealers. A Federal licensee should also be prohibited from selling handguns to an individual not living in the State of the seller. The interstate shipment of shotguns and rifles should be delayed a sufficient time for law enforcement authorities in the buyer's hometown to examine his sworn statement concerning age and other factors affecting his eligibility to purchase such a weapon, and the consent of these authorities should be required before the weapon may be shipped. Antique dealers could continue to operate under reasonable regulations. States may also want to prohibit firearms sales to persons under a certain age, such as 18 or 21, or require parental approval for firearms registration in a minor's name.

Mr. TYDINGS. Mr. President, there are those who would call this proposal too tough. But it is not really too tough. It is, in fact, a very moderate bill. It will not deprive any law-abiding citizen of the right to own or use a gun—whether for home protection, hunting, target shooting, collection, or any other legitimate purpose.

It does not outlaw private ownership of firearms, as Japan does. It does not outlaw ownership of handguns, as some have proposed. It would not require citizens to keep their guns in certified gun clubs, as others propose. It would not require a showing of professional need, as advocated by some.

In fact, Mr. President, the bill does not subject firearms even to the stringent regulation to which we subject automobiles and drugs.

Nevertheless, I think that those of us who support rational gun laws must gird ourselves for the campaign of misrepresentation which will certainly begin today. The gun lobby in this Nation—led by their paid hierarchy, the National Rifle Association here in Washington—has, without the slightest apparent twinge of conscience, opposed with a vicious disregard of fact every effective piece of firearms legislation introduced since I have been in the Senate and, I am informed, since long before I arrived here.

We can expect the NRA and its satellites to continue their opposition. But we do not intend to remain passive. I have today demanded that the Internal Revenue Service tell me, as a Senator of the State of Maryland, why an organization with an annual budget of \$5.7 million—which spends a large percentage of that budget lobbying against firearms legislation throughout the United States at the Federal, State, county, and city levels—remains untaxed.

I have demanded that the IRS investigate how this organization has urged its members to oppose firearms control legislation, and, whether its agents have spoken to Senators, Congressmen, State legislators, and other Government offi-

cials to influence their behavior, and if it has ever mobilized a campaign to oppose gun control, why the Internal Revenue Service has given it such kid glove treatment and a specific tax exemption.

Further, as a member of the Juvenile Delinquency Subcommittee, I intend to press for an immediate investigation of the entire gun lobby—the NRA and other extremist organizations, including the Minutemen, and gun manufacturers and large dealers, importers, and others who support these lobbying efforts.

If this campaign of misrepresentation and disregard of the public interest continues, the public is entitled, at the very least, to know its origins, its motivations, and where the money comes from.

We who support strong gun control legislation do not maintain that regulation will stop crime. It will not prevent all murders. But the statistics are unassailable that good gun laws do reduce gun crimes. We believe that a society which regulates automobiles, of which death is only a byproduct, should regulate guns, of which death is a primary purpose.

The Federal Bureau of Investigation published in its Law Enforcement Bulletin of October 1966, a list of murder percentages by guns, by States, for the 4-year period 1962–65. It is interesting to note that, generally speaking, States have effective or even minimal gun control legislation have the lowest gun murder rates, and that States having little or no protection from guns have the highest gun murder rates.

We who support reasonable firearms control believe that a government which can protect borrowers from unscrupulous money lenders, housewives from deceptive packaging, children from color television radiation, sick people from ineffective drugs, can also protect people from maiming and murder guaranteed by the promiscuous ownership of firearms.

The tragic death of the Senator from New York, Robert F. Kennedy, was indeed a national calamity. It will focus attention on the problem. But we are not talking merely about one isolated instance tragic as it was. Innocent, hard-working busdrivers in my own city of Baltimore and in Washington have been shot down by hoodlums with guns or pistols purchased for a few dollars. Innocent persons on the campus of the University of Texas were slaughtered by a man who bought some guns, went to the top of a tower, and opened fire on the people below.

Mr. MANSFIELD. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I am glad to yield.

Mr. MANSFIELD. Following the distinguished Senator's line of thought, I should like to add the fact that two marine lieutenants who had just been graduated from Quantico were shot in a hamburger shop in Washington last week. One of them, 2d Lt. Thaddeus Lesnick, was from Fishtail, Mont.

A Negro boy, a graduate of Wilson High School, also was shot and killed. He, likewise, should be considered along with the others.

I am glad that the Senator from Maryland is emphasizing that this is a

problem which is not only confined to great men or great personalities, but includes also the little people, who cannot generate the type of support the others can, but whose needs and considerations are just as great. I feel, and I know certain, that these examples could be multiplied many times over.

If I may, I should like to ask a question of the distinguished Senator.

Mr. TYDINGS. Certainly.

Mr. MANSFIELD. Do I correctly understand the Senator to say that the bill which he is introducing today—I have not seen it; I am looking at some statements concerning it—would provide for the registration of all firearms in the United States?

Mr. TYDINGS. The Senator is correct.

Mr. MANSFIELD. Is it the Senator's contention that that would encourage—

Mr. TYDINGS. This bill would in no way require the turning in of weapons—I hope I correctly judge the import of the Senator's question—

Mr. MANSFIELD. Yes, indeed. Would it also encourage States to provide for such registration, among other things?

Mr. TYDINGS. That is correct. It would be my hope that the States would enact their own registration laws. My bill provides that if a State did act its law will automatically preempt. If a State does not act, the Federal law would apply.

Mr. MANSFIELD. Very well. That is what I was trying to understand.

The Senator may or may not recall that on Monday last I made a speech on the floor of the Senate in which I stated that a number of proposals had been made by the President's Commission on Law Enforcement and Administration of Justice, including the outlawing of the private possession of such military types of firearms as bazookas, machineguns, mortars, and antitank guns; second, prohibiting such persons as habitual drunkards, drug addicts, mentally incompetents, mentally disturbed, and ex-convicts from buying or possessing firearms.

In my opinion, this has already been done in title IV of the safe streets and crime control bill in the section relating to handguns.

Mr. TYDINGS. One part of the National Crime Commission's recommendations was embodied in title IV. The Senator from Montana brings up a very good point. That is why I included the entirety of the National Crime Commission's recommendations in my own remarks, because my bill is really patterned after and based on the recommendations which the Senator has read and which the Senator has quoted.

Mr. MANSFIELD. The third recommendation underscored the need for State registration of all firearms, and for State permits to possess or carry handguns. My remarks follow:

These requirements will not stop killing; they may help to discourage it, and personally I would favor them.

Further, I stated:

I favor, and I have favored, the registration of all firearms, but I believe that it is basically a State function, and that the various States should accept this responsibility and not place it on the shoulders of the Federal

Government. If the States will not act, then I think it will be the duty of the Federal Government to assume that responsibility, as it has all too often when the States have refused to assume theirs.

Is that in accord with the Senator's proposal?

Mr. TYDINGS. That is exactly the philosophy of the proposal. As a matter of fact, we had before us the Senator's speech and his recommendations while we were drafting the proposed legislation. Unfortunately, in the past 30 years the only one gun control law which was able to pass any State legislature—in New Jersey—and that was a far weaker law than we propose, and that was in New Jersey. During that period, all attempts to enact sane gun laws by State legislatures have been vehemently opposed by the National Rifle Association and the gun lobby. So we provide that our bill would take effect only if the State failed to act. The State could act and would thus preempt the field at any time.

Mr. MANSFIELD. I suppose the Senator has in mind California, Michigan, New York, and New Jersey as States which have good gun control laws at present.

Mr. TYDINGS. Yes. So far as registration is concerned, I think they accomplish what we seek.

My bill also requires that an individual must obtain a license in order to possess, purchase, or transfer a firearm. Under the bill, each State will set up its own licensing procedure. But if the State does not do that, then the Federal law will apply. Under this bill, a license will automatically be given to an individual who states truthfully, that he is not a convicted felon, is not under indictment for a felony, has not been convicted of a misdemeanor involving violence, has never been institutionalized, under court order, for alcoholism, drug addiction, or mental incompetency, is over 18 years of age, and is a U.S. citizen.

In addition, fingerprints and a photograph would be required, unless the Governor of a State indicates to the Secretary of the Treasury that obtaining fingerprints or a photograph would not be practicable for residents in his State. For example, if a State is sparsely populated or long distances must be traveled to find people qualified to take fingerprints or to develop photographs, then the Governor could get an exemption for his State from this requirement.

If a license application is submitted containing all this information, and if the information is truthful, then automatically the firearms license would be issued. The Secretary of the Treasury would have no discretion to withhold the license.

Hopefully, the States would move to set up machinery for firearms licensing and for registration. If a State did act, then the Federal law would not apply in that State.

Mr. MANSFIELD. I appreciate the remarks of the distinguished Senator. I assure him that I have followed his statements with great interest.

Mr. TYDINGS. I thank the distinguished majority leader. I hope he will agree that my proposed legislation is basically within the philosophy and meets

the objectives set out in the remarks which he made earlier this week.

I should like to re-emphasize the point made by the majority leader, that this is not a problem involving only public officials. This is a problem involving the people of the United States.

After the riots in Detroit, rioters were arrested and guns were confiscated. It was found that a substantial majority—as many as 9 out of ten guns—confiscated could not have had firearms which they could not have purchased under Michigan law. All they did was slip over the State line into Toledo, Ohio, and pick up those "Saturday night specials" for a few dollars and drive back to Detroit.

Last summer, at our hearings on gun control the Governor of New Jersey, after the riots in Newark, pointed out that people who were ineligible to buy a firearm in New Jersey because of a criminal record would hop into their automobiles and drive into other States and purchase all the guns they wanted—indeed, even carloads of them—and drive back to New Jersey.

The entire thrust of this bill is really to protect the average citizen.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. TYDINGS. I am delighted to yield to the distinguished Senator from Florida.

Mr. HOLLAND. I have checked only briefly the résumé which the Senator from Maryland has had placed on the desk of each Senator. I have found no reference to what would be done in the case of weapons owned by public bodies and furnished to their police forces, and also weapons owned by the State governments or the Federal Government and made available to their uniformed military bodies. Will the Senator explain for the Record what this bill provides in those regards?

Mr. TYDINGS. I certainly will. It is a very important question, Mr. President. Section 806 of my proposed bill read as follows:

SEC. 806. EXEMPTIONS.—The provisions of this Act shall not apply to the sale, other transfer, ownership or possession of any firearm or ammunition to or by (A) the United States or any department, independent establishment or agency thereof, (B) any State or any department, independent establishment, agency or any political subdivision thereof, (C) any duly commissioned officer or agent of the United States, a State or any political subdivision thereof, in his official capacity, or (D) any manufacturer licensed after the enactment of this Act under the provisions of the Federal Firearms Act.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HOLLAND. Do I correctly understand from that recital, which is very informative, that all of the necessarily public ownerships, acquisitions, transfers, and the like, by all public units, whether for military service or for other use, are exempted under the terms of this bill?

Mr. TYDINGS. That is correct. That is the proper interpretation, as we intended it in the bill.

Mr. HOLLAND. I thank the Senator.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the text of the

bill be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. TYDINGS. I ask unanimous consent that the bill lie on the desk for the remainder of the day so that Senators who wish to cosponsor it may add their names.

The PRESIDING OFFICER. Without objection, the bill will lie on the desk, as requested by the Senator from Maryland.

Mr. TYDINGS. Mr. President, I now introduce on behalf of myself, the senior Senator from Maryland [Mr. BREWSTER], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from New York [Mr. JAVITS], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Ohio [Mr. YOUNG], and the Senator from Rhode Island [Mr. PELL], the Gun Crime Prevention Act of 1968 and ask that it be printed at the close of these remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3634) to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition; and to encourage responsible State firearms laws, and for other purposes, introduced by Mr. TYDINGS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HOLLAND. The Senator will recall, of course, that the Senate recently passed title IV of the omnibus crime bill, which applies only to handguns, as I recall—primarily to pistols. What is the difference between the provisions of title IV of the omnibus crime bill, as applied to handguns, and the provisions of the bill which the Senator just introduced, as applied to that same class of weapons?

Mr. TYDINGS. Mr. President, title IV, as enacted by the Senate, forbids the sale of a handgun to anyone not a resident of the State of sale. It also forbids the mail-order purchase or sale of a handgun. It deals only with sale of handguns. My proposal is complementary to it. My proposal would require, first, the registration of all firearms—handguns as well as long guns—in the United States, indicating the type of weapon, its serial number and caliber, and other information as I have described in my remarks.

Second, it would require that any person who wished to possess a firearm would obtain a license by stating that he was not a convicted criminal, was not institutionalized for drug addiction, alcoholism, mental incompetency, was over 18, and was a U.S. citizen. There could be no sale or transfer of a firearm except to a person with a license.

In other words, my bill provides for the registration of all firearms and licensing for purchase or possession, whereas title IV, of the Safe Streets Act,

which was passed by the Senate several weeks ago, deals only with the mail-order or interstate sale of handguns. The President's bill is a sales bill. The Gun Crime Prevention Act is basically a possession-and-use bill.

Mr. HOLLAND. I thank the Senator. I understand the Senator to say that, added to the provisions applicable to the sale of handguns included in title IV, the bill now offered by the Senator and his associates would add other restrictions having to do with the registration and the sale by individuals after they had registered a handgun.

Mr. TYDINGS. That is correct. The President's bill is intended to make State gun laws enforceable by preventing their subversion through interstate commerce. The Gun Crime Prevention Act will provide United States citizens protection from gun crimes if the States do not fulfill their responsibilities.

Mr. HOLLAND. In those two particulars, at least, his bill would be supplemental to or would add to, as he stated, the requirements already included in title IV.

Mr. TYDINGS. The Senator is correct.

Mr. HOLLAND. The Senator from Florida is particularly interested in that field, because he believes that there is a much stronger case to be made with reference to handguns than with reference to the long guns. Every State with which I am familiar has some type of legislation with reference to carrying a concealed weapon, which, by the very nature of the possibility of concealment, applies largely to handguns.

The Senator from Florida knows, from the figures already given by the distinguished Senator from Maryland, that of the homicides attributable to gunfire over the years mentioned in his data, approximately 70 percent have been accomplished through the use of handguns and approximately 30 percent through the use of long guns.

The Senator from Florida has no real figures upon which he can rely, but he is familiar with the fact that literally millions of long guns, perhaps hundreds of millions, would represent the numbers of shotguns and rifles and other weapons that would be regarded as long guns which are distributed throughout the country—most of them owned by sportsmen, many of them owned by dwellers in remote spots, many of them a perfectly understandable means of protecting a person or protecting property, or for lawful use in the field of sporting activities.

I have not yet seen a bill—and I hope the Senator has such a bill—that contains reasonable provisions as to those literally hundreds of millions of long guns; because I have not felt that I was safe in relying upon measures simply offered from the floor as substitutes or as amendments, but not approved by committees after long and responsible research, such as was title IV of the omnibus crime bill.

I hope that the Senator's bill, and I am inclined to think it would from having heard it described, may much more adequately deal with this subject matter than has been the case with reference to

prior efforts. I hope, and I express the hope here, that such may be the case. However, I recognize there are tremendous difficulties applicable to the field of control of long guns that are not found in the case of the control of short guns. I express the hope that the Senator is effectively dealing with that subject which has great bearing on the whole protection of our people.

Mr. TYDINGS. Mr. President, I believe the point raised by the distinguished Senator from Florida is a very important point. We have been holding hearings in the Subcommittee on Juvenile Delinquency now for 3 years on the question of gun control legislation. We have had, I believe, weeks of hearings, and we have heard scores of witnesses. They have recommended many types of gun legislation.

The point which the Senator makes is that to the farmer, or the sportsman, or the person in rural America, in the West and the South, rifles, shotguns, and the shooting of rabbits, quail, ducks, and other game, is a way of life, and that those persons should not be unnecessarily inconvenienced or deprived of that way of life which harms no one and which is part of their tradition.

In the interests of these law-abiding citizens, I have drafted this legislation so that anyone can comply with the registration and license requirements for firearms with ease, without delay and with great certainty.

I have made sure that no Federal official would have any discretion to deny anyone a firearms license. I have made sure that the entire registration and licensing required by this act can be done by mail when necessary.

The Treasury Department would have no right to arbitrarily deny a license. It would be automatically granted unless the applicant had been convicted of a felony, or a misdemeanor involving violence, or has been institutionalized for alcoholism, drug addiction, mental incompetency, or if he is an alien, or under the age of 18 years. There are issues which are clear cut, and subject to objective proof. There are no subjective standards—no directions which can be exercised to deny any person a firearms license.

We have tried to make the measure very simple and clear cut and without any possibility for abuse. I, having grown up on a farm, and still living there, am very concerned with the point the Senator has raised.

Mr. HOLLAND. Mr. President, I again express the hope that the Senator has offered an effective bill.

I wish to say that in the part of the country from which I come, and in particular, in the small town—and the Senator from Florida happens to live in a small county seat town—it is the custom for this kind of procedure to apply. When a boy reaches the age of 10 to 12 years, he becomes the proud owner of a little .22 rifle. Perhaps he is first supplied with only BB's or caps, and later with more effective ammunition. Later he may become the proud possessor of a .410 single-barreled shotgun. Then, a little further along he possesses something a little larger in the field of

shotguns. I am sure the Senator is familiar with this tradition because he comes from a relatively small town in his State, and I am sure he knows this is the situation found in literally millions of American homes.

I would not want to see anything done here by way of passage of a law which would make it completely impossible for normal development of acquaintance with handling of arms by our boys and, as they grow older, our young men, because I think that would be in the nature of a tragedy to our country. It is in the interest of our country for boys and young men to become familiar, in a safe way, with the use of firearms in the progressive method I have indicated.

I hope that the distinguished Senator has a bill which in its original form or by reasonable modification can be adjusted to these reasonable habits of families throughout our Nation from one border to the other.

I simply express again the hope that the distinguished Senator is finally pointing us to a course which can be used effectively so far as crime prevention is concerned and accident prevention is concerned, but at the same time will not disturb too greatly the practices of our Nation which have developed throughout all the years of our national existence.

Mr. TYDINGS. Mr. President, again, the point which the Senator has raised is one to which I have personally given consideration, because I was given a shotgun at a relatively early age and learned to shoot.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may proceed for an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. This legislation was drafted with the problem in mind which the Senator has raised. Under the bill, a license for gun ownership could not be given to the son of the family until he reaches the age of 18. This is similar to State laws regarding age at which a boy may obtain a license to drive a car. But, under the bill, a boy would be able to shoot, his parents would be able to let him shoot at home and on hunting trips, he would be able to learn to shoot and to develop marksmanship skills. But he simply would not be able to own firearms until he had reached the age of 18. We drafted the definition the term "transfer" in title II of the bill with this point in mind.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TYDINGS. I am delighted to yield to my colleague from Maryland.

Mr. BREWSTER. Mr. President, I wish to commend my colleague from Maryland on the brilliant leadership, fine presentation, and careful research he has personally done in the field of control of crime and the use of firearms. I am happy to associate myself with his remarks and add my name as a sponsor to the measure he has introduced.

I wish to ask several questions of the distinguished Senator.

The Senator, as a member of the Committee on the Judiciary, and as a brilliant lawyer in his own right, has a thorough knowledge of the Constitution of the United States. I would, therefore, like to ask whether, in his opinion, there is any portion of this bill that in any way contravenes the Bill of Rights of the Constitution.

Mr. TYDINGS. My answer is "No." The second amendment to the Constitution relates to the right of the State militia—not individual citizens—to bear arms. The power of Federal and State Governments to require registration of firearms and licensing has been upheld many times by the courts. There is no contravention of the Bill of Rights in these proposals.

Mr. BREWSTER. The Senator and I, as do many other people in our State of Maryland, enjoy the hunting available there. Therefore, I wish to ask: Is there any portion of this bill that would prevent citizens of our State from hunting, from owning firearms, from using firearms in accordance with law, or that would make it impossible or greatly inconvenient for law-abiding citizens to use and enjoy the proper use of firearms?

Mr. TYDINGS. The answer is "No." The registration procedure and the licensing procedure are extremely simple. There would be no inconvenience. The procedure would be much less difficult than obtaining a driver's license under State law or obtaining certain drug prescriptions. We considered many possible variations of legislation, and we decided to make it very simple, very direct, and very clear cut in order to avoid just such a problem as the Senator raises.

Mr. BREWSTER. Does the proposal set up any new, large, expensive, Federal bureaucracy, or does the provision that allows each State to pass its own laws that then take effect, in lieu of the provisions of the Federal statute, encourage the States to take over responsibility in this area?

Mr. TYDINGS. The Senator's question, in effect, answers itself. The entire thrust of the legislation is based on the remarks made by our distinguished floor leader, the Senator from Montana [Mr. MANSFIELD], last week, when he pointed out that the Crime Commission had recommended that the States should act. This legislation has been devised to encourage the States to adopt their own registration and licensing laws and to supplant the Federal law. Even should the Federal Government have to administer this act in many States, however, the simplicity of the system the act establishes will hold the cost to a minimum.

Unfortunately, for the past 30 years, with the exception of the State of New Jersey, no State has ever adopted strong firearms legislation which the gun lobby or the NRA has opposed. Therefore, I am afraid that the only way we will be able to galvanize State legislatures into action is with such legislation as this which provides for Federal registration and licensing standards which will apply unless the States act.

Mr. BREWSTER. One last question. Other than the prohibited licensing of aliens, anyone convicted of a felony or a

misdemeanor involving violence, or anyone institutionalized because of alcoholism, narcotics addiction, or mental incompetence, is there any discretion allowed to the agent of the Secretary of the Treasury under this measure, or must he license everyone who properly applies?

Mr. TYDINGS. There is no discretion. Licensing is mandatory. There is no discretion.

However, of course, if the Secretary finds a false affidavit, that the applicant was in fact, a felon, was convicted of a misdemeanor involving violence, or was institutionalized because of alcoholism, or narcotics addiction, or is a juvenile or an alien then, of course, the applicant will not be licensed.

Mr. BREWSTER. My distinguished colleague is a former U.S. attorney, and he has had a great deal of experience in prosecuting criminals. If this bill is enacted into law, will it not make it easier for all law-enforcement officers to apprehend a criminal where a firearm has been used in committing a crime?

Mr. TYDINGS. There is no question that the Senator is absolutely right. This legislation will be a tremendously effective tool for investigation and, of course, even more important, it will keep guns out of the hands of those who should not have them. Hopefully, because of the purchasing provision, many guns will be turned in and destroyed. Thus, some of the unwanted guns floating around this land of ours today will go out of circulation and not fall into the wrong hands.

Mr. BREWSTER. Again, I congratulate my distinguished colleague.

Mr. TYDINGS. I thank my distinguished colleague from Maryland.

Mr. PELL. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. PELL. I rise merely to congratulate the junior Senator from Maryland on the leadership he has shown in gun control legislation, the leadership he showed before it was as popular as it is at this moment, the leadership he has shown when he was defeated in some of the amendments he earlier offered and supported, and the leadership he has shown when many letters of criticism were coming in against those of us who supported more restrictive amendments, and very few letters of support were being received.

Now we find that the situation is somewhat changed. I am glad that it looks as if the Senator will meet with success.

I have one technical question. I speak as a director of the Fort Ticonderoga Museum, which houses many old guns and firearms. Is there a cutoff date in the bill with regard to the age of weapons?

Mr. TYDINGS. There is no cutoff date. All firearms would have to be registered.

Mr. PELL. I should like to suggest, thinking of the example of Fort Ticonderoga, which has the largest collection of 17th and 18th century cannon in the Western Hemisphere as well as a large collection of equally old shoulder and handguns, that there be, perhaps, a 100-year cutoff date on something of that sort, because I am sure the Senator did not mean to apply his legislation to

museum pieces, such as breech-loading guns and things of that sort.

Mr. TYDINGS. I think the Senator's point is well made. It is a point which the sponsors of the bill will definitely receive with sympathy.

Mr. PELL. I thank the Senator. I congratulate him on his perseverance. He was leading in this field when it was not chic. I wish him luck now that he has more popular support and would hope that we would get the bill through to prompt enactment.

Mr. TYDINGS. I thank the distinguished Senator from Rhode Island for his courtesy, and also for his own leadership and help in this vital area.

Mr. President, I ask unanimous consent that a series of articles and editorials published in yesterday's Los Angeles Times, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

S. 3634—THE GUN CRIME PREVENTION ACT
An act to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition; and to encourage responsible State firearms laws, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Gun Crime Prevention Act of 1968".

TITLE I: FINDINGS AND DECLARATIONS

SECTION 101. The Congress hereby finds and declares—

(a) That crimes committed with guns threaten the peace and domestic tranquility of the citizens of the United States, and threaten the security and general welfare of this nation, and its people; and

(b) That the unregistered and unregulated circulation of firearms in the United States increases the number of crimes committed with firearms; and

(c) That firearms crimes—which amounted to more than 6,500 murders, 43,500 firearms assaults, and 60,000 firearms robberies in 1966 alone—have created a substantial burden on interstate commerce; and

(d) That fear of firearms crimes discourages citizens from travelling between the states to conduct business or to visit national shrines and monuments, including the nation's capital; and

(e) That, in view of the ease with which firearms may be concealed and transported across state lines, individual state action to regulate firearms is made ineffective by lax regulation in other states and, accordingly, national legislation establishing minimum standards for the registration and regulation of firearms is necessary to permit effective state action.

(f) That crimes committed with guns have disrupted our national political processes, and threaten the republican form of government within the states as guaranteed by Article IV of the Constitution;

(g) That officials of the government of the United States, including four Presidents of the United States, and candidates for national public office have been assassinated by use of firearms, and that the lives of national officials of the Legislative, Executive and Judicial branches, are increasingly threatened by the unregistered and unregulated circulation of firearms in the United States.

TITLE II: DEFINITIONS

SEC. 201. As used in this Act—

(1) The term "person" includes any individual, corporation, company, association, firm, partnership, society, or joint stock company.

(2) The term "interstate commerce" includes commerce between any State or possession (not including the Canal Zone) and any place outside thereof; or between points within the same State or possession (not including the Canal Zone), but through any place outside thereof; or within any possession or the District of Columbia.

(3) The term "firearm" means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer.

(4) The term "indictment" includes an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

(5) The term "ammunition" means any projectile or other device designed to be expelled by any firearm.

(6) The term "Secretary" means the Secretary of the Treasury or his delegate.

(7) The "United States" includes the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(8) The term "State" includes each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(9) The term "felony" means any crime punishable, under the laws of the United States, a State, or any political subdivision thereof, for a term of imprisonment of one year or more.

(10) The term "misdemeanor" means any crime punishable, under the laws of the United States, a State or any political subdivision thereof, for a term of imprisonment of less than one year.

(11) The term "Owner" means any person who claims lawful title to a firearm.

(12) The term "to transfer" and its forms means to sell, assign, pledge, lease, loan, give away, or otherwise cause the lawful title or rightful possession of a firearm to vest in another. The term "transferor" shall mean a person who transfers, and the term "transferee" shall mean a person in whom the lawful title or rightful possession of a firearm vests when a transferor transfers a firearm, except that neither the term "transferor" nor "transferee" shall apply to a person who claims lawful title or rightful possession of a firearm as (a) a common carrier licensed pursuant to the law of any state or of the United States engaged in the lawful transportation of such firearm, or (b) a transferee whose possession of such firearm is for a lawful purpose and is occasional, brief, and subject to immediate termination upon the demand of a person who claims legal title or rightful possession.

TITLE III: REGISTRATION

SEC. 301. *Registration of firearms.*—Every firearm shall be registered as prescribed by section 202 or 203 of this Act.

SEC. 302. *Registration of existing or imported firearms.*—Every person owning a firearm in existence in the United States upon the effective date of this Act and every person importing a firearm into the United States subsequent to the effective date of this Act, at the time of importation, shall submit in person or by mail to the Secretary of the Treasury or his designee of a certificate which shall include:

(A) the name, age, address, and social security number, if any, of the person owning or

importing, as the case may be, such firearm; and

(B) the name of the manufacturer, the caliber or gage, as appropriate, the model and the type, and the serial number identification, if any, of the firearm;

Except that registration of firearms existing in the United States upon the effective date of this Act shall be accomplished within one year of such date.

SEC. 303. *Registration of firearms transfers.*—Every transfer of any firearm in the United States shall be registered by submission within five days from the date of such transfer by both the transferor and transferee of certificates in person or by mail to the Secretary of the Treasury or his designee, which shall each include the following information:

(A) the name, age, address, and social security number, if any, of both the transferor and transferee of such firearm.

(B) the name of the manufacturer, the caliber or gage, as appropriate, the model and the type, and the serial number identification, if any, of the firearm.

SEC. 304. *Reporting lost or stolen firearms.*—The loss or theft of any firearm shall be reported by the person from whose possession it was lost or stolen, within 30 days after such loss or theft is discovered, to the Secretary of the Treasury or his designee. Such report shall include such information as the Secretary by regulation shall prescribe, including without limitation the date and place of the theft or loss.

TITLE IV: LICENSES

SEC. 401. *Firearms and ammunition possession.*—One year from the effective date of this Act, no person shall possess any firearms or ammunition unless he shall have a firearms license issued by the Secretary of the Treasury, or, pursuant to Title VI of this Act, by the official designated by law of the state of which he is a resident.

SEC. 402. *Firearms and ammunition transfers.*—On or after the effective date of this Act, no person shall be transferor or transferee of any firearms or ammunition unless the transferee has and displays in person or by mail, to the transferor a firearms license issued by the Secretary of the Treasury or, pursuant to Title VI of this Act, by the official designated by law of the state of which the transferor is a resident.

SEC. 403. *Application and issuance.*—

(a) The firearms license referred to in sections 401 and 402 of this title shall be issued to an applicant by the Secretary only upon receipt of written application which contains each statement, all information and materials, and otherwise complies with subsection (b) of this section.

(b) Such application shall:

(1) state that—

(i) the applicant is at least 18 years of age.

(ii) he has not been convicted of any felony nor at the time of the application is he under indictment for commission of any felony in a court of the United States or in a court of any state or political subdivision thereof.

(iii) he has not been convicted of any misdemeanor involving actual or attempted physical harm to himself or to another by a court of the United States or a court of any state or political subdivision thereof.

(iv) he has never been committed to an institution by a court of the United States or a court of any state or political subdivision thereof on the ground that he was an alcoholic, a narcotics addict, or mentally incompetent.

(v) he is a citizen of the United States.

(2) be signed by the applicant who shall swear or attest to the truth of all statements, information and material provided therein.

(3) include by a photograph and fingerprints of the applicant. Such photograph and

fingerprints shall be obtained in such manner as the Secretary shall by regulation prescribe.

(4) contain such additional information, regarding the applicant, including without limitation, birth date and place, sex, height, weight, eye and hair color, and present and previous residences, as the Secretary shall by regulation prescribe.

SEC. 404. *Return of firearms license.*—Whenever a person has obtained a firearms license under this title and is convicted of any felony or any misdemeanor involving actual or attempted physical harm to himself or to another, or committed to an institution on the ground that he was an alcoholic, a narcotics addict, or mentally incompetent, in or by a court of the United States or in or by a court of any state or political subdivision thereof, or is no longer a citizen of the United States, such person shall return the firearm license to the Secretary; willful failure to do so shall be punishable by a fine of not more than \$10,000 or imprisonment for not more than ten years or both. The firearms license of such person may be reclaimed by the Secretary.

SEC. 405. *Wrongful use of firearms license.*—No person shall willfully convey or otherwise furnish to another person any firearms license which may have been issued to himself, or to a third person, as provided in this title, in order to evade or obstruct the provisions of this Act. Violation of this section shall be punishable by a fine of not more than \$10,000 or imprisonment for not more than ten years, or both.

TITLE V: ILLEGAL AND UNWANTED FIREARMS

SEC. 501. *Illegal firearms.*—Every firearm, importation of a firearm or transfer of a firearm not registered in accordance with provisions of this Act shall be deemed to be contraband and shall be subject to seizure and forfeiture. All provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture and disposal of firearms, as defined in this act shall, as far as applicable, extend to seizures and forfeitures under this act.

SEC. 502. *Unwanted firearms.*—(a) Any person who owns a firearm required to be registered under the provisions of this Act and who

(1) elects, within a year from the effective date of this Act, not to register the firearm in accordance with Title III of this Act, or

(2) does not obtain a firearms license as provided in Title IV of this Act, or

(3) otherwise desires to dispose of such a firearm may dispose of the firearm at such place as may be designated by the Secretary of the Treasury and receive therefor a reasonable value.

(b) All firearms acquired by the Secretary pursuant to this section shall be destroyed, except that such firearms as are determined by the Secretary to have unique historic or technological value may be preserved for appropriate public purposes.

TITLE VI: STATES RIGHT OF PREEMPTION AND EXEMPTIONS

SEC. 601. *State laws not preempted.*—No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any state or possession on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the state or possession so that the two cannot be reconciled or consistently stand together.

SEC. 602. *States may preempt Federal law.*—

(a) The provisions of Title III of this Act shall not apply to a resident of any state which enacts legislation requiring registration, including at least the information required by that title, of firearms in the possession of such resident; and provides the same penalties as are provided by this Act for violation of that title.

(b) The provisions of Title IV of this Act shall not apply to a resident of any state which enacts legislation requiring licenses as prerequisite to the possession by such resident of firearms or ammunition, provided that such legislation requires at least the same statements, materials and information from any license applicants as are specified by that title, and provides the same penalties as are provided by this Act for violation of that title.

SEC. 603. *Partial exemption for a State.*—The Governor of a State may certify to the Secretary that application of section 403(b) (3) of this Act to residents of that State, or some part thereof, is not practicable and, upon receipt of such certification, the Secretary may grant to such residents exemption from the application of such provision.

TITLE VII: PENALTIES

SEC. 701. (a) Whoever knowingly and willfully makes a false statement on any registration certificate or firearms license application submitted under this Act shall be deemed to have violated the provisions of section 1001 of title 18 of the United States Code.

(b) Whoever possesses, transfers or receives any firearm or ammunition in violation of the provisions of this Act shall be fined not more than \$10,000 or imprisoned not more than ten years or both.

(c) Whoever intentionally obliterates, or otherwise defaces or alters the serial number identification of any firearm shall be fined not more than \$10,000 or imprisoned not more than ten years or both.

(d) Any firearm or ammunition involved in, or used or intended to be used in, any violation of the provisions of this Act, or a rule or regulation promulgated thereunder, or violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in this Act, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this Act.

TITLE VIII: MISCELLANEOUS

SEC. 801. *Records.*—The Secretary shall establish and maintain records of the information submitted pursuant to this Act.

SEC. 802. *Secretary to cooperate.*—The Secretary shall cooperate with the state and local law enforcement officers in making available to them under appropriate safeguards information gathered as a result of the registration and licensing provisions of this Act and shall undertake to establish reciprocal channels of information with the states to carry out the purposes of this Act.

SEC. 803. *Rules and regulations.*—The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this Act. The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations.

SEC. 804. *Fees.*—The Secretary may prescribe reasonable fees to be paid by registrants under Title III and applicants for licenses under Title IV of this Act to meet the expenses of carrying out the provisions of this Act.

SEC. 805. *Effective date.*—This Act shall be effective 180 days after the date of its enactment.

SEC. 806. *Exemptions.*—The provisions of this Act shall not apply to the sale, other transfer, ownership or possession of any firearm or ammunition to or by (A) the United States or any department, independent establishment or agency thereof, (B) any State or any department, independent establishment, agency or any political subdivision thereof, (C) any duly commissioned officer or agent of the United States, a State or any political subdivision thereof, in his official capacity,

or (D) any manufacturer licensed after the enactment of this Act under the provisions of the Federal Firearms Act.

Sec. 807. *Appropriations.*—There are hereby authorized to be appropriated from the Treasury of the United States such sums, not otherwise appropriated, as may be necessary in addition to the fees collected under Section 804 of this Act to implement this Act.

Sec. 808. *Assistance to Secretary.*—When requested by the Secretary, Federal Departments and agencies, unless such authority is revoked by the President, shall assist the Secretary in the administration of this Act.

Sec. 809. *Separability.*—If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

Sec. 810. *Administration.*—The administration and enforcement of this Act shall be vested in the Secretary of the Treasury.

Sec. 811. *Construction.*—Nothing in this Act shall be construed as modifying or affecting any provision of—

- (1) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954); or
- (2) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or
- (3) section 1715 of title 18, United States Code, relating to nonmailable firearms.
- (4) the Federal Firearms Act (Chapter 44 of title 18, United States Code).

EXHIBIT 2

[From the Los Angeles Times, June 11, 1968]

THE RIGHT TO CONTROL ARMS

Out of their shock and sorrow at the shooting down of yet another national leader, the American people are demanding strict gun control laws as never before.

No member of Congress, no state legislator dare ignore public outrage at the incredible ease with which instruments of violence are obtained and used. Latest opinion polls again show that the people are far ahead of their leaders in favoring strong controls.

The Times calls on President Johnson to veto the woefully inadequate firearms restrictions recently voted by a timid Congress. He should take the lead in a fight for restraints far tougher than any previously introduced.

Surely the tragic assassination of Sen. Robert F. Kennedy will now exert a greater influence upon the Senate and House than even the relentless pressure of the gun lobby.

Or will the National Rifle Assn. and its assorted comrades-in-arms again prevail, as they did after the murders of President Kennedy and Dr. Martin Luther King?

The Times believes that Congress, as a beginning, must do no less than require the registration of every gun in the United States and prohibit all interstate sale of firearms.

Laxness of U.S. gun controls is a national disgrace. The rest of the world can only wonder how a civilized society can tolerate so obvious a threat to its safety.

On the page opposite, the highly restrictive gun regulations imposed in Britain, France and Japan are detailed by Times correspondents. And Canada's much more rational approach is described in a letter in the adjoining column.

The result in all these countries is that the rate of gun-caused deaths is far less than in the United States. So effective are the French restrictions that during all the weeks of recent rioting not a single gun was fired. In Japan no one at all may possess a handgun, except police and military personnel.

It would probably take a generation to achieve anything similar in this country. But we can start now with gun registration, reinforced by prison sentences and heavy

finest for those who do not comply. Nothing indeed should prevent any citizen from immediately registering or surrendering a gun to local authorities.

If automobiles, and even bicycles, can be registered, so can firearms. And those who choose to keep arms should pay necessary fees for their registration.

In addition to increasingly frequent assassinations, more than 5,000 Americans are murdered by gunfire every year. That toll will continue unless Congress acts to protect the public.

The people must make certain that their concern is heeded. Effective gun control action should be demanded of their representatives in the Senate and House as well as in state legislatures.

An aroused public can always outshout the gun lobby.

RECREATIONAL HUNTING IN CANADA IS NOT HAMPERED BY STRICT GUN CONTROL

We believe that you would be performing a useful service in bringing to the attention of your readers the nature of the regulations governing the ownership and use of firearms in Canada, and by advocating similar legislation for the United States.

While there are differences in cultural and historical background, visitors from the United States will be much more impressed by the great similarities in social attitudes between the two peoples. . . . Canadians find no difficulty in getting along quite well without handguns. In Canada all firearms must be registered and, apart from law enforcement, the military, and the confines of licensed revolver clubs, it is almost impossible to own a handgun or a concealable firearm.

In order to obtain legal possession of a handgun in Canada a permit must be issued and this is not easy to come by, only for cause and on authority of the chief of police of the municipality. The applicant's background is first checked for a criminal record.

In spite of this, the proportion of time, in relation to population, spent by Canadians in recreational hunting probably far exceeds that spent by citizens of the United States in this country. Moreover, a great many U.S. citizens participate in game hunting in Canada. There is absolutely no reason to believe that firearms legislation similar to that of Canada would endanger hunting as a sport.

As geologists, several of whom have worked frequently in central and northern Canada as well as Alaska and elsewhere, we can attest that the occasional need for a gun in very remote areas for physical protection, and the rather common need for one as a source of food, is enormously greater in Canada than in most parts of conterminous United States.

The control of guns does not eliminate armed crimes in Canada, but it could simplify law enforcement, and it could reduce tragic crimes of passion, of accident and of stupidity, or by the mentally incompetent.

Signed by: Donald Carlisle, W. A. Dollase, C. A. Hall, L. S. Hollister, George C. Kennedy, N. G. Lane, C. A. Nelson, G. Oertel, J. L. Rosenfeld, W. W. Aubey, K. D. Watson and G. W. Wetherill, all professors of geology at UCLA.

THE INMATES HAVE FINALLY TAKEN OVER THE ASYLUM

(By Art Buchwald)

To the rest of the world the United States must look like a giant insane asylum where the inmates have taken over. The guards are gone, the doors are open and everyone thinks the other person is sick.

Except for the charity wards where the people are all shoved together on top of each other, the rest of the asylum couldn't look prettier. The buildings are all new and shiny, the equipment is the most modern in the world, the grounds are green and decorated

with flowers. To look at it from the outside, you would think it is the ideal spot on the globe.

But inside, the patients are running amuck and no one seems to know what to do about it. Every time a doctor is called in to suggest a remedy for the chaos, the residents of the hospital shout him down. Besides, they believe anyone who is trying to come up with new cures for their sickness must be crazy himself.

The United States is a very special type of insane asylum in that all the inmates are permitted to have guns. These guns are sold right in the hospital or can be ordered by mail because when the hospital was built in 1775 the founders wrote it into the rules. Every time someone wants to change the rules, the gun-loving inmates cry that they only want the guns to kill animals during their recreation periods.

The people who live on the Hill and represent the inmates are afraid to do anything to offend the armed inmates, so they ignore the problem until there's a killing in the hospital, at which time they all express horror that the inmates should be allowed to walk around with guns.

Then they forget about it until the next tragedy comes along.

Despite its beauty and size there have been many injustices committed in the asylum against the patients. For 100 years, the black patients were kept in isolation wards and only permitted out to scrub the floors. They got no treatment from the white doctors until recently when they became violent and insisted that if they were patients in the asylum they wanted the same rights as the other inmates.

The administrators of the asylum have belatedly sought to improve the lot of the black patients, but there has been a reluctance amongst the other inmates to pay the bill, particularly since the asylum is supporting so many other insane asylums around the world.

Up until recently the hospital was a model for all other hospitals. But in the '60s people everywhere have been watching it with horror and despair.

The more affluent the hospital becomes the sicker the patients behave. The remedies prescribed for the illnesses are always given too little and too late. And as in all insane asylums, every person thinks the other patient is the one who should get the treatment.

Nobody knows how many more doctors the patients will shoot, nor how long the asylum will survive before the inmates destroy it once and for all.

FIREARMS CONTROL STRICTER ABROAD

(NOTE.—The United States has the world's most lax gun control laws. It also has more deaths by firearms than any other nation. To illustrate the contrast between our regulations and the tough restraints in other countries, Times correspondents Robert Toth, Don Cook and Don Shannon have filed reports on gun laws in Britain, France and Japan.)

GREAT BRITAIN

Britain has a long history of firearms control—and an enviably small number of deaths by shooting. Only 45 murders involving guns were recorded in Britain and Wales last year as compared to the more than 5,000 such slayings in the United States.

Even its constables don't carry guns. Despite the killing of three unarmed policemen in August 1966 in London, the Police Federation voted against being armed.

On the decision of local chief constables, guns are issued to combat criminals known to be dangerously armed. But police have agreed such decisions are taken only in "most exceptional circumstances," says the Home Office.

Weapon controls for civilians are similarly strict. Restrictions are in three categories:

1—Guns which fire in bursts, i.e., sub-machine guns, may be possessed only with certificate of approval from the Ministry of Defense. Even police must have such certificates for holding weapons of this kind.

2—Other weapons, including handguns and rifles but not shotguns, are covered by the Firearms Act of 1937, which consolidated bits and pieces of earlier law.

It is an offense to possess such weapons without a certificate issued by the chief constable of one's locality. An applicant must show "good reason" for possession. "Self defense is most unlikely to be considered a good reason," says the Home Office.

Usually an applicant must show he is a member of an established rifle club with known facilities, or has an estate for hunting, or is a farmer who shoots rats and predatory beasts, or a shopkeeper.

Penalty for unauthorized possession is maximum of three years in jail or 200 pounds (\$480) fine or both.

In 1965 a total of 220,000 certificates (permits) had been issued for all England and Wales, population about 50 million. There is no reason to expect that the number has increased since then; if anything, there are fewer permits now than before, according to the Home Office.

3—Shotguns were not controlled until the 1967 Criminal Justice Act clause came into force May 1 this year. Although a certificate from a chief constable is needed, the constable must have reason for not giving a permit. The penalty for illegal possession is six months and 200 pounds or both.

Controls on shotguns followed a rise in indictable offenses involving firearms in England and Wales in recent years, increasing from 552 in 1961 to 2,337 in 1967.

Prior to the shotgun law coming into force, a three-month amnesty was held for returning guns that had no certificate. A total of 25,088 were turned in, including 8,847 revolvers and automatics, 4,340 rifles and 9,488 shotguns, whose owners apparently didn't want to apply for permit. Most weapons were usable. There have been three other amnesties since World War II—1946 when 76,000 turned in, 1961 when 70,000 were turned in, and 1965 when 41,000 were returned.

FRANCE

The French style of controlling firearms is devastatingly simple and strict.

Tough weapons laws are the reasons for the rather remarkable phenomenon in the last few weeks of continuing violence without one shot being fired (except grenade launchers by the police).

As far as is known, not a gun was found on any of the several thousand who were rounded up by the police during this period. The only homicide in Paris during the demonstrations and fighting was a death from stabbing.

Personal arms, such as pistols or revolvers (apart from hunting weapons), can be purchased in France only on a police permit.

Two kinds of permits are issued. One is for possession of personal weapons at home or office, if there is a special security problem and the police agree that this kind of added protection is reasonable or desirable.

The other is a permit to carry a weapon—and this is almost impossible to obtain. Such permits are issued only on the final authority of the Minister of the Interior himself, and would apply only in very special cases of private citizens needing personal bodyguards.

Anybody found in possession of a weapon without one or the other of these permits is automatically arrested in France. He is subject to varying degrees of jail sentence depending on the circumstances and/or explanations.

For example, if a gun is found during a road-check of car papers, the motorist would immediately be arrested.

An individual cannot walk into a shop and buy a revolver without first obtaining a police permit. If he should then sell or transfer the weapon to somebody without a permit he would be in violation of the law. Serial numbers and full identity of the weapons is, of course, part of the police files.

Hunting weapons are easier to obtain. But they also are purchasable only with a hunting license, and can be transported only if such a license is in the possession of the person carrying the gun.

JAPAN

Possession of pistols, carbines and other small guns is absolutely prohibited in Japan for anybody except police and military personnel.

Possession of such a small arm carries a maximum penalty of five years imprisonment or 200,000 yen (\$555).

National police headquarters claim there are never more than 50 pistols in circulation illegally in Japan because of the vigilant watch kept on this score. Biggest source seems to be U.S. servicemen from Vietnam trying to finance their rest and recreation here.

Rifles and shotguns for hunting or target practice must be licensed with the following requirements placed on the license holder: minimum age of 20 years, mental health certified by a doctor (this requirement was briefly imposed on driver's license applications but dropped because doctors made only a cursory examination and collected their fee); reasonable grounds for possession; if ever imprisoned, at least three years must have elapsed since finishing prison term.

About 800,000 shotguns are licensed in Japan and only 30,000 rifles. Shotgun licenses are issued by chiefs of police stations; rifle licenses by chief of police of a prefecture, a jurisdiction corresponding to a U.S. county.

Shotguns and rifles are licensed only for use in hunting and target shooting areas. Someone who used his weapon to shoot tin cans on the beach or in some other area not authorized for shooting would be subject to a two year sentence or a 50,000 yen (\$139) fine.

Nobody in Japan is allowed to possess a knife or sword longer than 15 centimeters (7 inches) unless it is an antique certified by the Cultural Properties Protection Commission. Switch blades longer than six centimeters (three inches) with a switch angle larger than 45 degrees are also banned.

Mr. MANSFIELD. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. MANSFIELD. Mr. President, I want to commend the distinguished Senator from Maryland for making the speech he has just completed and showing the interest which he has demonstrated time and time again in this particular field.

It is my belief that he has done a great deal to remove some of the cobwebs attached to the problem of gun control legislation. He has set forth his views clearly, succinctly, and understandably.

I express the hope that the bill which he has introduced, the others which have been introduced, as well as those which are yet to be introduced, will be taken up in the Committee on the Judiciary as expeditiously as possible, to the end that a bill can be reported, brought to the floor of the Senate, considered, debated, and resolved in this body.

Again, I wish to commend the distinguished Senator from Maryland.

Mr. TYDINGS. I thank the distinguished majority leader.

LONG GUN CONTROL LEGISLATION

Mr. SYMINGTON. Mr. President, we must act now, and with firmness, to insure that other tragedies do not follow in the wake of the present one that has our country deep in sorrow.

We have acted to protect our fellow citizens from the indiscriminate sale of handguns. But that is only a halfway measure; because it is known that criminals and other irresponsible people are resorting more and more to the use of rifles and shotguns to kill and maim. From their standpoint, this is logical because the latter can be used more safely at a long distance.

It is a fact that rifles and shotguns are used in 30 percent of the homicides committed with firearms. Should we be content, therefore, to protect only two-thirds of the people killed every year with firearms? Are we willing to sacrifice the lives of the other 30 percent?

Twenty-five percent of our law enforcement officers who are slain every year are killed with long guns. Can we afford to waste those lives?

Is it not tragic irony that it was the distinguished Senator from Massachusetts, the brother of our late colleague, who commented but a few weeks ago that the measure proposed went only part way along the path of a solution to the problem; and who stated:

Indeed, it amazes me that we continue to tolerate a system of laws which make it so outrageously easy for any criminal, insane person, drug addict or child to obtain lethal firearms which can be used to rain violence and death on innocent people.

Let us unite now to do that which should have been done long ago: pass the bill to provide effective controls over long guns and ammunition as well as over handguns.

I have been much impressed by the address on this subject delivered this morning by the able Senator from Maryland [Mr. Tydings].

ROBERT KENNEDY

Mr. HOLLINGS. Mr. President, Robert Kennedy, dedicated to change, died in transit. When I met him in 1954, he was shy and groping for problems to solve. At death, he groped for solutions. Earlier he challenged labor racketeering, and then, with his brother, developed the New Frontier. Working for civil rights, he acted responsibly—but was chastised for being too fast and too slow. The President's assassination sped civil rights to reality and, still shy, Robert tried not to become a candidate. The crowds, the amenities, the tolerance of bias, and the indulgence of incompetence necessary to politics was his last desire. Perhaps a Kennedy Foundation was the answer. But no, this would only scratch the surface. Moreover, a torch had been lit, and he was its bearer. To solve, he must involve. Against tradition that he respected, he went to New York and became its Senator. And, like the American scene, he changed. He realized the rebuff to change, the rebuff to young ideas, the rebuff to the poor. To him this was unacceptable. Having seen the goal, he raced in that

direction. There was not time, as Burns wrote, "to see ourselves as other see us." And "others" saw a different goal—public office at any price. The very divisiveness he sought to heal, he irritated. As well as a solution, Robert became a part of the problem. And, as a man, he will remain controversial.

For me he was an understanding friend, the most moral of men, willing to change for the good, and die for the poor. He had been uncomfortable for a long time. Because of his moral courage to recognize the poor and young whom we have ignored, we shall be uncomfortable until we take heed. For as John Kennedy is remembered for bringing class to public service, Robert Kennedy will be remembered for bringing public service to the classes.

COMMUNICATIONS FAVORING AN EFFECTIVE GUN LAW

Mr. BREWSTER. I thank the distinguished Senator from South Carolina for yielding to me.

Mr. President, I have been deeply worried during the past months about the criminal activity which seems to be sweeping America. Much of this activity has involved the use of firearms.

A few weeks ago in the Senate I supported the strongest possible version of title IV of the crime bill, the amendment of my distinguished colleague, Senator KENNEDY, which would have controlled the shipment and sale of long guns as well as handguns. Unfortunately, this amendment did not carry. Today I have joined my colleague and friend from Maryland [Mr. TYDINGS] as a sponsor of this new, even stronger, proposal, which I hope the Senate will consider promptly and favorably.

In the past several days I have received over 2,000 communications from the people of Maryland on the subject of crime and gun control. The vast majority of these communications—over 99 percent of them—favor constructive action by the Congress in regulating the sale and use of all guns in order to keep them out of the hands of individuals who should not have them. The overwhelming sentiment in my State favors the registration of all firearms and the licensing of all who use them. I concur with this sentiment, and fervently hope that before this Congress adjourns sine die, we may have the satisfaction of seeing a strong gun registration and licensing bill written into law. The public safety requires that this action be taken.

I have selected from the communications I have received a sampling of the opinions of people in Maryland. I ask unanimous consent that these letters be inserted in the CONGRESSIONAL RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

BOWIE, Md.,
June 5, 1968.

Senator DANIEL B. BREWSTER,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR BREWSTER: I hope my letter will be one of the hundreds written to you and all Congressmen by concerned citizens all across this United States, as they have

suddenly been shocked by another gun tragedy, which almost ended in instant death for Senator Robert F. Kennedy. I awoke this lovely June day to the news that Kennedy had been shot. I couldn't believe what I was hearing, why were they going back to that horrible November day in Dallas, when suddenly my mind was awakened to the fact that the newsmen were reporting the attempted assassination of Senator Robert F. Kennedy.

Our country has turned to violence, hate, riots and even death for innocent citizens and anyone who has dared speak the truth about this madness, which is filling the once normal minds of its citizens. I cannot understand how we can let this present way of disrespect for human life and law continue. Something must be done immediately to bring about a change or we shall continue to live and die by the gun.

Congress must act swiftly and now on the enactment for a more rigid gun and weapon control. We cannot have guns issued to every person who feels he needs a gun, without any questions asked. It is now made so easy to order any type of firearm from a mail order house, this must be stopped.

I have not come to the solution for this very immense problem, but I do want you to know that I am very aware of what has been done and as a very patriotic and life loving citizen; I will continue to let my feelings be known to you. I hope that as a representative of the people of the state of Maryland, you will find it necessary to support a more rigid gun control law.

Yours Truly,

MRS. RICHARD A. HELLER.

CHEVY CHASE, Md.,
June 6, 1968.

Senator DANIEL BREWSTER,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BREWSTER: In the past four years, I, as a young voting adult, have been represented by various senators and representatives, namely, those from Michigan, Virginia and Maryland. During these past years, I have not been in correspondence with these members of Congress, because I have not felt that strongly about any particular issue that could be controlled by Congress.

However, in the past two months, it has been my unfortunate position to watch seemingly mad men shooting productive citizens with weapons that are easier to buy than, say, a six pack of beer.

I resent this; but not only do I resent it, I loathe it. And the chief reason for this loathing is that men who are in the position to control the sale of these weapons are, it seems, in the hands of a lobby which is not concerned with the general welfare of the people of the United States, but rather for what appears to be their own benefit.

In view of the tragedies of the past few months, I hope that you, as a legislator, will not hinder but rather help America by considering the views of the middle class citizen: that class of people who constitute the majority; bear the financial and social burdens of those who are poorer, weaker, and perhaps, more violent; and consequently, it is the most harassed class, but rarely is it called on to voice its hopes and demands.

I, as one of these middle class citizens, suggest a strict gun control law which bans the sale of mail-order weapons and establishes a waiting period of a week to ten days for any firearm, during which period the application is processed through the local police department or even through the FBI. If this creates a need for more personnel in these agencies, I suggest an application fee which would pay for their salaries.

As a sidelight, may I also suggest better restrictions on our entertainment media, i.e., television, movies, books and magazines, so

that the violence portrayed in these be curtailed. This area needs a guardian since it becomes more evident, to my mind, that the conscience of those in charge of these media is guided by what sells best rather than what is good entertainment. And, unfortunately, what sells best, in too many cases, is violence. And this violence seems to bend the suggestible mind. And then, of course, humans suffer.

I'm terrible sorry, as one of these humans, for the atrocities we have been forced to witness; but as a citizen, I'm angry. And if the way things are and have been done produces this mass insanity, then I'm here to vote for a change. And after that, if a change is not forthcoming, then I'm here to speak up. And after that, I'll act—peaceably—because I am determined; after all, isn't that what America is all about?

Sincerely,

AUDREY RASMUSSEN.

INSURANCE CO. OF AMERICA,
Baltimore, Md., June 10, 1968.

Senator DANIEL BREWSTER,
United States Senate,
Washington, D.C.

DEAR SENATOR BREWSTER: It has been many, many years since I have written to my Congressman; but, I feel that the circumstances are exceptional and it is important that the voices of your constituents back home be heard. I have been told that the Congressmen "listen" to what their constituents say and want to know how they feel about important matters.

I write to you to re-emphasize the tremendous importance, in my opinion, of giving this country a real gun control law with real teeth and real effectiveness. I am not at all satisfied with the very meek law that was recently passed.

Although I write as an individual, I must tell you that from my conversation with scores and scores of people, I know that the reason you do not hear from them is only their own feeling of inadequacy to properly express their strong feelings on the same subject.

We have heard for years of the strong "lobby" which apparently successfully locks the passage of effective firearms control legislation. Knowing your record, I am confident that this lobby cannot possibly reach you and that you are aware of the dire need for strong and affirmative action immediately by both Houses of Congress.

I admit that no one knows that effective legislation would result in the saving of one life, but no one can deny that effective legislation cannot possibly increase the loss of life and to me this is of vital importance.

Pardon me for intruding on your valuable time, but I sincerely believe that this is one of the most important issues facing the nation today.

Cordially,

BERTRAM A. FRANK, C.L.U.,
Senior Vice President and Director of
General Agencies.

ACCOKEEK, Md.,
June 6, 1968.

Senator DANIEL B. BREWSTER,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BREWSTER: As a resident of Maryland and as a constituent, this is written in a time of sorrow and anxiety. The shameful murder of your colleague, Senator Kennedy, was not only a severe shock to everyone but leads one to consider ways and means of dealing with the present unrestricted traffic in firearms.

Since I do not know your voting record with respect to this important matter, I will assume that on this sad Thursday you would welcome still another constituent's opinion as a guide in drafting urgently needed, and long delayed, legislation.

I am a retired army officer, having been a participant in World War II and the Korean conflict. In my youth I grew up in the West with a detailed knowledge of the various calibers of firearms then used in hunting wild game. I also participated in various research studies of the ballistic characteristics of several of these weapons. With this general background I feel qualified to speak on the subject of firearms.

It is my firm conviction that the present unrestrained sale of handguns, rifles and shotguns should be severely curtailed by law at the earliest possible date. I have personally observed far too many killings of human beings not only in wartime but also under accidental circumstances to be complacent about this matter any longer.

The available statistics disclose that approximately 5,600 gun killings occurred in the United States last year compared to 30 or so for England, 20 for France and about 12 in Belgium. These figures surely convey a message that cannot, and should not, be disregarded.

I, and anyone else capable of reading any daily newspaper, know why the sale of lethal weapons continues unabated. The National Rifle Association and weapons manufacturers have so far lobbied most successfully in hobbling any meaningful bill to control the sale and registration of guns. Today there are 99 Senators and some 435 Congressmen in the national legislature. Surely today there can be found a majority among you who will risk a little and sternly rebuke the self-interest of the gun lobby by passing, now, the necessary legislation.

To demonstrate the sincerity of my conviction I plan to picket the National Rifle Association headquarters on 16th street, and further, to read the voting record of each and every member of Congress when bills are either debated on the floor, are in committee or in any other stages of consideration. I can assure you that any member of Congress failing his duty will run the risk of early retirement if I read the mood of the country correctly today.

I urge you all, for once, to place the safety, security and general welfare of our beloved country above the self-serving activities of gun manufacturers and their powerful lobby.

Sincerely,

T. W. C. ADAMS,
Major, U.S. Army, retired.

COOPER & AUERBACH ARCHITECTS A.I.A.,
Washington, D.C., June 6, 1968.

HON. DANIEL B. BREWSTER,
U.S. Senate, Washington, D.C.

DEAR SENATOR BREWSTER: The anxiety which I feel in the community—the mistrust—and my own bewilderment over what prospects the future holds for us causes me to write this letter immediately in the wake of Senator Kennedy's murder.

The conversations I hear as a practitioner, as an assistant professor of architecture, and as a participant and worker in community and civic affairs frankly frightens me. I know you are familiar with the syndromes to which I allude. I am even contributive to these restless times in that I would be willing to defend my family at my home in Chevy Chase or elsewhere in a lawless manner if driven to it. I fleetingly consider arming my home.

I can recall the strong warning made by the late professor of sociology at Yale, James Kennedy, to the effect that our country above all he could name was the most susceptible to totalitarian control because our people would, when threatened, abdicate their basic rights and freedoms in the very effort to preserve them. What seems to concern most considerate men now is whether or not, given the anarchistic climate and the violence attending it, we may not be at that point of dilemma.

I have come, for instance, to the reluctant conclusion that the constitutional right to

bear arms needs reconsideration. I was in Italy this past January when all guns were collected and put in the hands of the proper authorities, even collectors items. What an improbably simple, strong and resolute way of handling such a threatening matter! And we can't even get a law to control interstate arms sales. This is absolutely preposterous.

I am aware of your helpful voting record on this matter, but as your constituent I want you to do more.

There is only one body of men in this country which can ultimately resolve our basic problems and you are a member of that body. You and the rest of the congress must shove aside the politics of pragmatism and regionalism to legislate those strong laws needed to healthfully redirect this country. I, for one, will vote for those men who do.

Most respectfully,

SEYMOUR AUERBACH.

BETHESDA, MD., June 4, 1968.

DEAR SENATOR BREWSTER: This morning's tragedy emphasizes the dichotomy of thought between those who consider guns an instrument for sport and those who would use guns for the taking of human life. It is indeed unfortunate that the safety of the public at large must be jeopardized because the few who would enjoy the sport of shooting and those who profit by the sale of firearms have a strong enough voice to outshout the many who are endangered by the easy accessibility of murder weapons.

As long as guns are available to anyone, the chance of their use as tools of destruction is ever present. I therefore suggest that this country adopt a stringent gun law, making the possession of a gun an illegal act.

Respectfully yours,

NANCY WIEDERHORN.

JUNE 5, 1968.

DEAR SENATOR BREWSTER: Upon learning of the shooting of Senator Kennedy, I was filled with a feeling of helplessness: a realization of the power of warped humanity over the life of the country and all its citizens. Modern technology, especially firearms, has made this situation possible. Although recognizing positive accomplishments of technology, we must always evaluate its usefulness to mankind.

The gun in this country is an outmoded product of technology. It is no longer absolutely necessary for people in this country to hunt for their food. Likewise, a gun is only necessary for protection against other guns. The gun has become superfluous, and its uses have become perverted. Certainly the recreational, sporting value of firearms could be replaced by other pastimes and is, therefore, not indispensable.

It seems to me that the arguments of those refusing to pass legislation on gun restriction or abolition are becoming less convincing and more reactionary with every shot that is fired. The majority of this country deplores both the original and retaliatory violence that it sees about it. Instead of fighting fire with fire, why not take the fire away? The country feels helpless and its representatives must represent it.

I realize that there are many obstacles and vested interests facing gun-control legislation. However, bold, enlightened action is required. The crisis is real and apparent. I ask you as my representative to call on your experience and influence and respond to this crisis. Thank you.

Hopefully,

TIMOTHY W. GROVES.

JUNE 5, 1968.

DEAR SIR: How long does it take to get effective gun legislation? I mean for rifles as well as pistols. Can men any longer be trusted with such dangerous psychological props? The answer again and again is no! Firearms cannot be justified for self-defense. They make each man feel safe, power-

ful, and perhaps, potent; but the feeling is an illusion because his neighbor may also have a pistol. If this neighbor becomes enraged or blown full of "moral" fervor, he has the means to destroy anyone.

The comparison of our riots to those of Europe should make the necessity for a ban on civilian arms clear. The massive Paris riots, possibly evolving more civilians than ours, killed many fewer people. Why? Because those who were enraged could only push, punch, or throw cobblestones. I am reminded of two little boys who were doing their raving best to kill each other; fortunately they were small and all their flailing did nothing more than use up energy. Their hate spent, they were free to become friends. If one had had a pistol, he, in his rage, probably would have used it; and there would be no more potential friend. I hate to say it, but our population is showing itself to be too immature to bear arms. If no one has a gun, no one needs one. The best way to begin to correct the situation is to pass effective legislation. If necessary, we must amend the Bill of Rights.

The Europeans manage to maintain democracies without arms; it is time we grew up. We must sacrifice our right to bear arms as to the price of law and order. That is the cost and nothing is free. I urge you to pass wider gun controls and to work for their eventual ban.

Sincerely,

W. M. MERRICK THOMAS.

UNITED NATIONS SANCTIONS IN RHODESIA

Mr. THURMOND. Mr. President, just before the holiday weekend, the U.N. Security Council voted unanimously to apply what amounts to almost total sanctions against Rhodesia. This is the most sweeping decision of its kind in the history of the U.N. The Security Council ordered governments to end all exports and imports to and from Rhodesia except medical supplies, books, news, and educational materials. The resolution also cuts off all funds for investment and all remittances except for pensions. It forbids travel on Rhodesian passports, orders an end to all airline service to or from Rhodesia, and emphasizes the need for breaking consular relations.

Mr. President, this is a sad moment in the history of U.S. international affairs. It indicates the lengths to which the left-wing lobby will go in interfering with the sovereign rights of an independent nation. Only a few days before the Security Council voted, former Secretary of State Dean Acheson said that the United States had already joined an international conspiracy to topple the government of Prime Minister Ian Smith. This action last Wednesday confirms Mr. Acheson's charge, for the resolution in the Security Council received the unanimous approval of all members, including the United States. In other words, we took affirmative action to embargo a friendly nation. We should have voted "No" against this outrageous breach of international law. More typically, we might have abstained and allowed the other nations to gang up on the peaceful country. But instead, we voted affirmatively.

My understanding is that the terms of this agreement were organized behind the scenes and that there was virtually no debate before the resolution was passed. The United States, according to

word from the U.S. mission to the U.N. in New York, did not explain its vote until after the vote had been taken. There is no excuse whatsoever for our participation in this shameful action.

The U.N. is attempting to perpetrate the myth that Rhodesia is under the control of Great Britain. One might as well proclaim that the U.S. Declaration of Independence was also illegal and that we are still under the control of Great Britain. Of course, when one sees our groveling acceptance of this U.N. resolution, a resolution largely written by Great Britain, it makes one wonder whether we are indeed independent of Great Britain after 192 years.

Nevertheless, Britain can no longer maintain the fiction that Rhodesia is under her control. The Smith government has plainly had defacto control of every section of the country. There have been no riots, no uprisings, no challenges to the elective form of government. Although Rhodesia has emergency measures which are appropriate to a nation under seige, the economy continues to expand, new enterprise has been established, and the population, as far as can be determined, is overwhelmingly in support of the government.

Nor is it true that Rhodesia is a threat to world peace. The government of Rhodesia has never in any way expressed any aggressive indications nor committed any acts violating another nation's sovereignty. It has announced its intentions to live in peace with the world. It has made every effort to obtain that peace. The only way in which Rhodesia is a threat is that her success, the fruit of her hard work, and her relative affluence have made her the target of envy and hatred on the part of African nations which are unable to manage their own affairs successfully. But I do not see how Rhodesia can be made responsible for the greed and frustration of her neighbors.

The question, then, remains: Just how far will the United States go in the campaign to topple a strong and peaceful government? Our only concern in international affairs should be whether the conduct of any other nation affects our own national security. According to this policy, we have said that the goal of the Communists is to dominate the world. We have accordingly taken actions to contain Communist expansionism. We have gone to the aid of free nations who have been threatened by Communist imperialism. We have become greatly concerned about international policies of Communist nations because these policies threaten our own national survival.

None of this applies to Rhodesia. Whether we like the domestic policies of Rhodesia or not, they are matters of purely domestic concern. They are not policies which threaten any other nation or which express hostility to any other nation. They can be of no concern at all to the other nations of the world. They do not affect our continued existence, nor do they raise any danger which will affect our interests. Therefore, there is no excuse whatsoever for us expressing any attitude with regard to Rhodesia's domestic policies.

The U.N. Charter says specifically that the U.N. organization shall not interfere in the domestic matters of any nation. It is a tortured legalism to say that the sanctions are justified because Rhodesia is still Britain and that Britain has asked the U.N. for assistance.

I expect the President soon to issue an Executive order applying the sweeping sanctions under the authority of the U.N. Participation Act. Undoubtedly, this order will be similar to Executive Order No. 11322, issued on January 5, 1967, which has delegated to the Secretaries of State, Commerce, and Treasury the power of regulating exports and imports from Rhodesia. I find it remarkable that the United States should pass on to a much more sweeping regulation of this sort, when the milder Executive order of January 1967 has already gravely endangered our national security.

Last November 22, I pointed out to the Senate that the ban on the importation of Rhodesian chromite, used in the manufacture of stainless steel and other high-grade metallurgical alloys, would result in growing U.S. dependence upon the Soviet Union for this critical material. Since then, it is evident that this dependency is growing more severe.

In the March 1968 edition of the Engineering & Mining Journal, Dr. John M. Warde shows that the Soviets have stepped up both the production and the price of chromite, taking advantage of the embargo on Rhodesian chromite. Dr. Warde says:

The ore market remained relatively stable until the third quarter (of 1967) when Russian suppliers hiked their 1968 offerings by \$6 to \$7 a ton, while Turkish dealers raised their prices \$2 to \$3, according to *Metals Week*. The price rise was in anticipation of a shortage of high-grade metallurgical lump in 1968 because of the Rhodesian sanctions.

According to Dr. Warde, U.S. inventories of imported chromite were actually higher in November 1967 than they were in 1966, but instead of this being a healthy situation, the surplus is actually an indication of problems to come. Dr. Warde says:

Factors responsible for the comfortable metallurgical ore stock position include: (1) Stepped-up deliveries of Russian ore to the high-priced U.S. market in anticipation of future shortages of high-grade lump ores, owing to the Rhodesian ban; (2) Receipts of preboycott shipments of Rhodesian ore during the first quarter; (3) Purchases from the government stockpile to supplement the limited availability of satisfactory metallurgical ores; (4) A decline in alloy demand owing to a slow-down in the rate of stainless production.

Despite the 1967 decline, according to Dr. Warde, specialists see stainless steel growing at at least twice the rate of raw steel. Thus, we see that at the very moment when there will be a stepped-up demand for stainless steel—a demand, I might add, which will be most significant in the field of military preparedness—the United States is choosing a policy which will make us dependent upon the Soviet Union for this critical material.

As I pointed out in my speech last November 22, the Soviet Union is the other chief supplier for metallurgical grade chromite. By cutting off Rhodesia

we are inevitably making ourselves dependent upon our worst enemy: The last domestic chromite mining in the United States was reported in 1961.

The present statistics show that 22 percent of the imported chromite in 1967 came from the Soviet Union, 10 percent came from Turkey, and 13 percent came from Rhodesia, consisting of preboycott shipments. But these statistics do not show the whole picture, because most of the chromite from other countries is not of metallurgical quality. The shipments from the Soviet Union, Turkey, and Rhodesia represent nearly all the chromite used in high-grade alloys. When the figures are thus adjusted, it shows that in 1967, nearly half of our metallurgical grade chromite came from the Soviet Union. With the boycott in total effect in 1968, it can be seen that the Soviet share of our market will rise dramatically.

I ask unanimous consent that the article "Chrome Ore," written by Dr. John M. Warde, and published in the Engineering & Mining Journal of March, 1968, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, the present sanctions against Rhodesia are unjustified, both from the moral viewpoint, and from the viewpoint of international law. Rhodesia has survived them, and probably would continue to survive them. Rhodesia is one of the few nations left in the world with a sense of national integrity. Even if the broader sanctions voted last Wednesday are put into effect, I feel sure that Rhodesia will put up a valiant and courageous fight against their unjust and aggressive intent.

The most disturbing element is the attitude of the United States Government. It is plain that our policy is to destroy Rhodesia and the Smith government—for what reasons, it is hard to tell. Yet any government that supplants the present rule is bound to be anti-American and anticapitalist. Under last year's sanctions, the State Department deliberately chose a policy which would make us dependent upon a hostile government for the critical mineral, chromite. Under the broader sanctions, we see a further determination on the part of the State Department to destroy our friends in Rhodesia, and install what would be inevitably a hostile regime. No matter which way one looks at it, it seems that our State Department wants to make us dependent upon our enemies.

Mr. President, we must reconsider this ill-conceived and misguided policy. It must not be implemented by Executive order. Instead, we ought to recognize Rhodesia, and resume friendly trade and contact. Rhodesia is an enemy to no one, and rightfully deserves a place in the cooperation and competition of free nations.

EXHIBIT 1

CHROME ORE

(By Dr. John M. Warde, Mining and Metals Division, Union Carbide Corp.)

This year should be a good one for the domestic chrome industry if production of

stainless and raw steel picks up as many observers predict. However, two problems most likely to plague domestic alloy producers during the year are: (1) Higher chrome ore prices in the face of tightening supplies of good metallurgical lump because of the Rhodesian boycott; and (2) high levels of alloy imports. Looking beyond, prospects are bright for the alloy industry as specialists see stainless growing at least twice the rate of raw steel.

The following developments occurred in the U.S. chrome industry during 1967:

Domestic alloy operations returned to normal in the first quarter after the resolving of labor problems which caused work stoppages in most of Union Carbide's alloy plants during much of the last half of 1966.

Ore consumption slipped from 1966 levels. The cutback was mainly in the refractories sector but chemical use was also off, metallurgical consumption approximated the previous year's rate.

The ore supply picture was further clouded as President Johnson, backing U.N. sanctions against Rhodesia—a major Free World source of high grade lump—issued an Executive Order on Jan. 5, banning all trade in chrome ore and other selected commodities between the U.S. and that country.

Ore imports were at a rate well below 1966 receipts, with the USSR increasing its participation in the U.S. market as the Rhodesian boycott took effect.

Chrome ore depends mainly on the steel industry for its markets. Its largest outlet is in the manufacture of chrome ferroalloys used in the production of stainless and heat resisting steels. Next in importance is the manufacture of refractory brick and specialties—mortars, cements, ramming mixes—used in furnace construction and maintenance, chiefly in steel plants. The balance goes mainly into the production of bichromates, the basic feed stock from which most other chrome chemicals, including chrome plating compounds, are derived. Here is how the U.S. market patterns have developed in recent years:

U.S. CHROME ORE MARKETS¹

[Percent of total]

Industry	1966	1965	1964
Metallurgical.....	56	57	54
Refractory.....	30	29	30
Chemical.....	14	14	13

¹ Based on USBM statistics.

The ore market remained relatively stable until the third quarter when Russian suppliers hiked their 1968 offerings by \$6 to \$7 a ton while Turkish dealers raised their prices \$2 to \$3, according to METALS WEEK. The price rise was in anticipation of a shortage of high grade metallurgical lump in 1968 because of the Rhodesian sanctions. Prices quoted by MW, per long ton delivered U.S. for Russian ore (54%–56% Cr₂O₃ and 4:1 chrome to iron ratio), which were \$30.50–\$33, respectively, as the year began, rose in August to \$36.50–\$40 and \$34–\$36.50, where they remained the rest of the year. The price range for Transvaal ore (44% Cr₂O₃ and no ratio) quoted by MW at \$18–\$21.50 as the year began, remained essentially unchanged at year's end.

Consumption, imports and stocks in the U.S. during the first 11 months of 1967, according to USBM data:

The alloy industry consumed 771,000 short tons of chrome ore, mainly high grade lump from Russian, Rhodesian and Turkish sources, approximately the quantity used in the same period in 1966. Ferrochrome imports amounted to 56,000 short tons, 33% less than the quantity brought in during the first 11 months of 1966, when U.S. alloy

consumers turned to foreign suppliers as a hedge against work stoppages in the domestic industry. Ore inventories in the hands of alloy producers at the end of November stood at 473,000 short tons, 12,000 above that reported for year-end 1966. Factors responsible for the comfortable metallurgical ore stock position include: (1) Stepped up deliveries of Russian ore to the high priced U.S. market in anticipation of future shortages of high grade lump ores owing to the Rhodesian ban; (2) receipts of pre-boycott shipments of Rhodesian ore during the first quarter; (3) purchases from the Government stockpile to supplement the limited availability of satisfactory metallurgical ores; and (4) a decline in alloy demand owing to a slowdown in the rate of stainless production.

Refractories producers consumed 285,000 tons of ore principally Philippine, with lesser quantities of Transvaal ore, representing a 30% reduction from the quantity used during January–November 1966. The declining steel rate and reduced level of the steel industry's furnace construction and maintenance activities were prime reasons for the cutback. The trend to the increased use of magnesite predominating refractories and dolomite in U.S. steelmaking practice was also a factor. Ore inventories at refractories plants as of Nov. 30, were 481,000 short tons, down 17% from the beginning of the year, but still representing a 13-month supply at the 1966 consumption level.

Chemical manufacturers used 163,000 short tons of ore, virtually all from the Transvaal. This was a 10% decrease from the first 11 months of 1966. Ore inventories at chemical plants as of Nov. 30, amounted to 263,000 tons representing an 11% drawdown from the beginning of the year and about a 15-month supply based on usage.

Ore imports, which amounted to 1,129,000 short tons, continued to supply domestic requirements; domestic chrome mining was last reported in 1961. Receipts during the first 11 months of 1967 were 35% below the January–November total for 1966. The principal sources were: South Africa (Transvaal), 38%—mainly chemical but some for refractory and metallurgical use; USSR, 22%—metallurgical; Philippines, 16%—mainly refractory; Turkey, 10%—metallurgical; Rhodesia, 13%—metallurgical (pre-boycott shipments). The breakdown of 1967 (11 months) ore receipts compared with those of recent years shows the shift in pattern of U.S. imports that has taken place since the Rhodesian problem began late in 1965:

U.S. CHROME ORE IMPORTS

[Percent of total]

	1967 (11 months)	1966	1965	1964
Rhodesia.....	13	10	22	24
South Africa.....	38	45	32	31
Turkey.....	10	10	11	7
Philippines.....	16	18	18	16
Other free world.....	1	1	1	1
Subtotal, free world....	77	84	84	79
U.S.S.R.....	22	16	16	21
Albania.....	1			
Subtotal, Communist countries.....	23	16	16	21
Total percent.....	100	100	100	100
Millions of short tons....	1.02	1.86	1.52	1.43

Stockpile activity. General Services Administration during 1967 contracted for 580,000 tons of metallurgical chromite, including medium and low grade lump ore and concentrates, for future delivery under its long range disposal program. The program under Public Law 88-415, limits disposal of

200,000 tons in any one year. GSA's attempt in August to sell on a negotiated basis 113,000 tons of chemical grade chromite met with no takers.

In the U.S. alloy sector, Union Carbide's Mining & Metals Div. announced installation of a new 25,000-kw electric furnace at its Alloy, W. Va., plant. The new multi-million dollar unit is equipped with modern pollution control equipment designed to produce ferrochrome silicon. The furnace began operation in November.

Vanadium Corp. of America, became the Vancoram Operations of Foote Mineral Co. on Aug. 31, at the same time its Keokuk Electro-Metals Div. became designated as the Kemco Operations of Foote Mineral.

Ore sources. Rhodesia, a major Free World source of high grade metallurgical lump was banned from delivering ore (and chrome ferroalloys) to the U.S. by President Johnson's Executive Order of Jan. 5, under the U.N. Act, which was designed to support the mandatory sanctions resolution passed in the U.N. on Dec. 16, 1966. During the year, the U.K. extended its boycott on Rhodesian goods to include import from any source of ferrochrome made from or even partly containing Rhodesian ore—a provision covered in the U.S. ban. Rhodesia's chrome mining operations continue to produce under decrees issued by the Rhodesian government, which requisitions the output through its official trading company. Where the banned ore is going remains a question, rumor even has Red China a customer for 60,000 tons. Early in the year the U.S. received 147,000 short tons of Rhodesian ore which was shipped prior to the boycott.

South Africa. Transvaal ore continues to be the mainstay of the chemical trade, but shifts in technology have made it of increasing interest in refractory and metallurgical applications. A new and growing use is in foundry sand. Most of the Transvaal ore is friable and typically analyzes 44.5% Cr₂O₃, with a chrome to iron ratio of 1.6 to 1. South Africa, with the Free World's largest chrome resources, is the world's number two producer after the USSR. Production in 1967 was in excess of 1-million short tons, of which some 200,000 tons were consumed locally, mainly in South Africa's burgeoning ferrochrome industry. The remainder was exported chiefly to the U.S. with lesser quantities to Japan, West Germany, France, the U.K. and elsewhere. U.S. receipts, during the January–November period, totaled 425,000 short tons, the bulk of which was for chemical use but some went to the refractories and metallurgical industries.

Turkey, long time source of metallurgical lump, furnished 108,000 short tons to the U.S. during the first 11 months of 1967. Prospects are for a continued high level of demand for Turkish ore in 1968.

The Republic of the Philippines is the major U.S. source for refractory ore. The Islands' unique Masinloc deposit of high alumina, lumpy chrome ore continues to furnish the bulk of the needs of U.S. refractory brick makers. The Philippines also supply a relatively small but steady output of high grade metallurgical concentrates from the Acoje Mine to the trade. During the first 11 months of 1967, the U.S. imported from the Philippines 182,000 short tons of refractory ore and 4,000 short tons of high grade concentrates.

Iran is reported to have sizable reserves of high grade lump ore, and with the opening of the newly built harbor installations, including a 1,500-tph chrome ore loading facility, at Bandar Abbas in November, the country has a good potential as a prime world source of metallurgical ore. Since the closing of the Suez Canal, however, Iran has been at a transport disadvantage in competing for the U.S. and European markets. No

Iranian ore was reported among U.S. imports during the first 11 months of 1967.

USSR. The world's largest chrome ore producer continued to be the pace setter for the ore market and leading U.S. source of high grade lump. Over 80% of the Soviet chrome exports in recent years have gone to the Free World (mainly to the U.S. and Japan) and prospects are for the USSR to further improve its penetration into Western markets as the Rhodesian boycott goes on. A breakdown of chrome ore exports from the USSR in recent years is as follows:

SOVIET CHROME ORE EXPORTS

[Thousands of metric tons]

	1964	1965	1966
Free world.....	567	622	771
Communist countries.....	96	123	149
Total.....	663	745	920

During the first 11 months of 1967, the USSR supplied 252,000 short tons of chrome ore to the U.S.; most of the ore analyzed above 52% Cr₂O₃.

Albania, second largest chrome ore source in the Communist World, produces about 350,000 mtpy, which is normally sold mainly to Red China and Communist Europe. However, because of the Rhodesian boycott, U.S. alloy producers took 11,000 tons in 1967. The initial shipment of 4,000 short tons arriving in August marked Albania's first recorded commercial shipment of chrome ore to this country. Albania's current Five-Year Plan is reported to include the establishment of a domestic ferrochrome plant.

DEVELOPMENTS

South Africa. U.S. Steel has reportedly invested in two South African firms, Zeerust Chrome Mines Ltd., and Feralloys Ltd.

Finland. Production at the Kemi Mines is reportedly at a rate of 125,000 to 150,000 tpy of high iron chrome ore. The Outokumpu ferrochrome plant to be erected at Tornio is expected to be ready by the end of 1968.

Malagasy. Reports indicate that work recently started on the road to link the large Malagasy chromite deposits at Andiamena, west of Lake Alatora, with the railhead at Ambatondrazaka. The 52-mile road is being built by the government to enable the Ugine mining subsidiary, Cie. Miniere d'Andiamena-COMINA—to develop these important deposits and start mining early in 1969. Discovered in the mid-1950's the friable Andiamena deposits hold over 5-million tons of low grade (up to 40% Cr₂O₃) chromite. Ugine, which owns a 55% interest in COMINA plans to produce 85,000 tons of low ratio concentrates annually. The government of the Malagasy Republic holds a 20% interest; Pechiney, 10%; and Cie. de Mokta, 5%.

India. The Indian Steel Minister reportedly laid the corner stone of a \$65-million ferrochrome plant in Orissa's industrial belt at Jaipur Road. The plant, scheduled for operation in 1968, is said to be designed to produce 10,000 tons of low carbon ferrochrome a year initially, which is to be eventually expanded to 25,000 tons to meet the expected demands of India's alloy steel industry.

Japan. In the aftermath of the devaluation of the pound, Japan has been asked by the Russians for a 16.67% extra payment on all chrome (and manganese) ores delivered after devaluation. The Russians traditionally accepted payment in sterling but new contracts will be in dollars.

Indian Ocean. The Russian survey ship, ACADEMICIAN KURCHATOV, is reported by Tass to have found pure chromite at the bottom of the Indian Ocean. The chromite was stated to have been found in geological rifts where it is thought the earth's mantle is exposed on the seabed.

U.S. CHROME ORE

[Thousand short tons]

	1967 ¹	1966	1965
Imports.....	1,231	1,864	1,518
Production.....			
Consumption.....	1,334	1,461	1,582
Metallurgical.....	841	828	907
Refractory.....	311	439	457
Chemical.....	182	194	218
Stocks, end.....	1,233	1,346	1,094

¹ Estimated

Source: U.S. Bureau of Mines.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

"TOMORROW'S TRANSPORTATION," MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Banking and Currency:

To the Congress of the United States:

I am transmitting today a report on the study of new systems for urban transportation, entitled *Tomorrow's Transportation*.

Undertaken by the Secretary of the Department of Housing and Urban Development in accordance with the Urban Mass Transportation Amendments of 1966, the study has involved research and analytic effort by 17 contractors over a period of 18 months. It has explored areas of transportation research and development to ease the problems of Americans who live in or commute to work in cities.

The report identifies research and development which offers promising prospects for transportation improvements in our cities in the near future. It suggests a longer term program of research and development, concentrated in areas of greatest promise and benefit.

I commend the report for study by the Congress and the concerned Federal, State and local agencies. It provides a good foundation for decisions upon the program of research and development required to develop the needed new systems of transportation for our crowded metropolitan areas.

LYNDON B. JOHNSON.

THE WHITE HOUSE, June 12, 1968.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent, now that the periods allocated to designated Senators have ended, that there be a period for the transaction of routine business, with statements limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENCY

Mr. MANSFIELD. Mr. President, this week's Life magazine contains an article entitled "The Presidency," written by Hugh Sidey. The article contains a reference to the Presidency of Lyndon Johnson during the past week. The sub-head is: "For God's Sake, Live Under the Law." That is a part of a quotation from a statement by the President in expressing his sorrow during a television speech on the passing of our late beloved and respected colleague, and my friend, when the President said:

Let us, for God's sake, resolve to live under the law. Let us put an end to violence and to the preaching of violence.

The article states that there was a good deal of similarity, in some respects, between the President and our late departed colleague. Both were strong men and attracted the same strong antagonisms and affections.

Mr. Sidey mentions that in 1964 Robert Kennedy, then the Attorney General, offered to serve as Ambassador to South Vietnam, but that President Johnson thrust the offer aside instantly. The result was that, in the words of the author, "the President was accused of hoarding power."

But the real reason behind the President's action was a regard by the President for Robert Kennedy and a regard for the Nation and for that stricken family.

Also, earlier this year the President—and I can say this from personal knowledge—worried about the security of the candidates in the political race. He also contacted some of us in Congress long before the tragic event at Los Angeles in an effort to secure extra Secret Service protection for all the candidates. He did not meet with much success. However, as soon as the tragedy occurred, he acted immediately. He called in the Members of the leadership and contacted the chairmen and ranking minority members of the appropriate committees, and as a result of their action the President was given, in a resolution and in the Treasury-Post Office appropriation bill, the authority which he needed. He had lacked it, but he acted on his own volition because of the events which had occurred.

It should also be stated that President Johnson—and this would apply to any President, but not so much as to him—receives an extraordinarily large number of threatening letters every year. Many attempts are made—some of them successful—to climb the White House fence. However, none of them has been so suc-

cessful that those who attempted it could get very far.

When the President received the news of the passing of Robert Kennedy, he called several persons to the White House. I was there early in the morning and also later in the day. The President expressed shock and horror. He put all the services and facilities of the Government at the disposal of the Kennedy family. He did everything he possibly could to bring some surcease into that tragic period. He also discussed the sending of another message to Congress on gun legislation, and his desire that Ambassador and Mrs. Shriver return from Paris for the funeral.

The President—and I have differed with him on occasion, but at least he has given me the courtesy of considering my views on an honest basis—has found himself in a most difficult position, a position which no President, regardless of party, should ever find himself in. He has conducted himself with dignity and understanding.

He, too, has had his tragedies; and he, too, is understanding of what has happened during the past week; because, as the article ends, "To those who watched, what had happened was so far away and yet so close."

Mr. President, I ask unanimous consent that the outstanding article by Mr. Hugh Sidey be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PRESIDENCY

(By Hugh Sidey)

"FOR GOD'S SAKE, LIVE UNDER THE LAW"

Lyndon Johnson traveled his separate political way from Robert Kennedy and the bitterness that sometimes flared between them was real. But just as real was the President's concern for Kennedy's well-being—strong men both, they attracted the same strong antagonisms and hatreds.

It showed itself first in the dark days of 1964 when Kennedy, about to leave his post as attorney general, volunteered to be ambassador to South Vietnam, which was perilously close to collapse. Johnson thrust the offer aside instantly and he was accused of hoarding power. Maybe there was a little of that in the gesture, but running deeper was the President's fear that something would happen to Bob—and neither this nation nor that tortured family could stand more.

This spring, through the heat of the primary campaigns, Johnson worried about the security of the presidential candidates and particularly about Kennedy. He brooded with friends about the climate of violence in America and the ever-present threat to all national leaders, more than anything to the Presidency. When he was trying to get the crime bill passed, he had an aide quietly sound out congressmen about the possibility of including a provision assigning Secret Service men to the candidates. The response was negative and, since there was no real incident to set off the alarm, the matter dropped. But it rested uneasily in the President's mind.

Meantime he felt, hovering near him, the spectre of danger. Some 12,000 threatening letters came to the White House in a year. A dozen men scaled the eight-foot White House fence and were caught on the grounds. At least one person was taken into custody every day by the Secret Service someplace in the U.S. for threatening the President. The men who were running for

the Presidency were bound to attract some of this madness—and particularly Bob Kennedy. Johnson, flying in his jet or with friends in his small study, would talk about the danger as a hindrance to his Presidency. He felt a prisoner within his country. Secrecy was a weapon against warped minds and so there was the odd spectacle of a President moving unannounced from city to city. Last week he went to address the graduating class of Glassboro State College in New Jersey. But the final acceptance of the invitation came so late that his name was not even printed on the commencement program.

The news of the shooting of Robert Kennedy came clacking over the wire into the Situation Room in the White House basement. One of those anonymous men who attend the room to watch the world through the night for the President ripped off the yellow bulletin from the machine and called National Security Aide Walt Rostow, asleep in his suburban home. Even on the most grave national crises Rostow generally waits a few minutes to gather more information before disturbing the President. But on Wednesday morning at 3:31 his call went instantly to the white bedside phone of the President. The muted jangle roused Johnson, now conditioned to wake and expect bad tidings. "Senator Kennedy has been shot," Rostow said simply. "I don't know how seriously." The President wanted more information but Rostow had only the bare details and he suggested that Johnson turn on his TV set just as his own wife Elspeth was doing. Johnson hung up the phone, pushed the remote control TV switch at his bedside, woke Lady Bird and together they watched the triple-screened color set at the foot of the bed.

Lyndon Johnson is never immobilized. But he was in those first minutes absolutely unbelieving. Then, still in bed with the telephone cradled on his shoulder and his eyes on TV, he began to make calls and do things he felt he had to do. First he called Attorney General Ramsey Clark to set the federal investigative machinery in motion. Then calls went to Secret Service Chief James Rowley, back to Clark again, then J. Edgar Hoover. He wanted a Secret Service detail with every candidate who would accept it. The Service was to get agents from wherever they could to fill out the details. The President does not have the legal authority to do this but he told his men never mind about authority. He would get it some way. He was back on the phone to Clark and then to Rowley and to Senators Mike Monroney and Mansfield and Congressman Tom Steed who handle legislation pertaining to the Secret Service. By 4:41 the President's own information network was functioning and he had a full report direct from Good Samaritan Hospital. By 6:35 he was talking with Kennedy's aide, Ted Sorensen, and a few seconds later to Edward Kennedy and then brother-in-law Steven Smith. There was not much to say. He quietly told of his sorrow and asked that it somehow be passed along to Ethel Kennedy. He wanted to do whatever he could to ease the family's pain. But there was nothing much that could ease the pain and he knew it. By now Secret Service agents were on their way to all candidates. Air Force planes were ready to take the oldest Kennedy children—Joe, Kathleen and Bobby from McLean to Los Angeles, and to bring the youngest ones back home from California.

Rufus Youngblood, the Secret Service agent who had thrown himself on top of Johnson in Dallas more than four years before, came by and briefed the President. Disbelief still clung to Johnson. The questions he asked the few staff members around him needed no answers. How can this still happen? How had it gotten that bad? He talked of Dallas, of Martin Luther King's

death, of the gunman who had climbed to the University of Texas tower and killed 14 people. "How many times did we try to get that gun legislation through?" he asked, knowing how fat the file on that issue had become, remembering his own harsh words in insisting on the bill, some of the toughest he has ever addressed to Congress. "What does it take to make them see our need?" He called Everett Dirksen and kept calling others.

The misty and melancholy dawn came to the White House. Below the President's bedroom window the signs of tragedy began to gather. The huge television vans lumbered through the gates and spread their electronic ganglia. Reporters and cameramen collected in stunned knots. White House police checked their weapons and watched everyone sharply. Clint Hill, head of the White House Secret Service detail, who had leaped aboard the death car in Dallas and held Jacqueline in her seat in that frantic ride to a hospital, came down the drive under those big elms, his face stricken.

To those who watched, what had happened was so far away and yet so close.

Mr. ALLOTT. Mr. President, many statements have been made about the President asking for Secret Service coverage for the various presidential candidates, so I believe the record for those of us involved, should be made perfectly clear.

I know that the statements made by the majority leader are in entire good faith. I do not know what requests or what contacts went on between the President and the chairman of the Subcommittee on the Departments of the Treasury and Post Office appropriations. As a minority member of that committee, who attended all of the sessions, I can say forthrightly and frankly that this matter was never mentioned in committee and was never mentioned to me in any way, manner, shape, or form, by phone call or otherwise, until May 27, which is the day Secretary Fowler appeared before the subcommittee.

On that day, we did spend a great amount of time in executive session—closed-door session—revising and perfecting the language which was to go into the bill.

As the Senator will recall, it was just a few days after that that the committee marked up the bill. The Senator from New Hampshire [Mr. COTTON], the Senator from New York [Mr. JAVITS], and I all had a part in perfecting the language, and that language was put into the bill and brought to the floor of the Senate and the bill was passed the next day. As a matter of fact, some Senators who feel very strongly about the 2-day rule on appropriations bills waived their rights in order that the bill could be considered immediately.

So while I cannot say what request was made by the President to the chairman of the subcommittee, I can only say—and I believe we have to say this for the record—that so far as the minority was concerned, the first request was made on May 27, in a closed session, by the Secretary of the Treasury, Mr. Fowler, and that every effort was made—and it was actually accomplished—to expedite the bill.

I thought the Senator would like to know that.

Mr. MANSFIELD. Mr. President, I am glad that the distinguished Senator from Colorado, who was so helpful in getting that particular provision into the bill and having the bill passed so quickly, has clarified the record.

The reference I made was really to what the author of the article said.

Mr. ALLOTT. I know that.

Mr. MANSFIELD. And I am glad that this matter has been straightened out.

Mr. ALLOTT. I thank the Senator for yielding.

GENERAL WESTMORELAND SEES NO "VICTORY"

Mr. GORE. Mr. President, a public statement by General Westmoreland on his departure from Saigon brings into public view a disagreement within the administration, within Congress, and within the country with respect to strategy and tactics in the Vietnam war. General Westmoreland is quoted in a recent press story as follows. Here is a question:

General, can the war be won militarily?

General Westmoreland:

Not in a classic military sense.

Then the article goes on to say that General Westmoreland added:

Because of our national policy of not expanding the war.

Mr. President, what is meant, and what has been under consideration, described in this statement as a "policy of not expanding the war"? The high military command in Vietnam evidently wished to expand the war geographically, strategically, and tactically by both ground and air attacks. Under consideration was, perhaps, an invasion of North Vietnam. Under consideration were other means of expansion—air attacks, hot pursuit, and perhaps others.

After a thorough reassessment, President Johnson—with, I might add, the support of widespread sentiment in Congress—decided against an expansion of the war and announced his decision to seek instead a deescalation of the war and a negotiated peace.

Mr. President, members of the Committee on Foreign Relations, and doubtless other committees, have known for a long while that many military authorities were expressing privately the opinion which General Westmoreland has now expressed publicly.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The time of the Senator has expired.

Mr. GORE. I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Indeed, General Westmoreland is known to have expressed such sentiments privately to Members of the Senate.

I raise this matter not in criticism, but to point out that Members of the Senate have had the benefit of such opinions expressed privately for a long while, and many, long ago reached a conclusion similar to that expressed yesterday by General Westmoreland. Let me cite an instance.

On February 16, 1966, I said to the Senate:

We should accept the fact that total military victory in the normal sense is not achievable in Vietnam short of action which would obliterate the country and solve nothing.

I proceeded to state:

The current level of our military effort will probably not achieve total victory. Neither, in my opinion, would the presence in Vietnam of twice as many United States soldiers.

Mr. President, those who in 1966 were expressing such an opinion were severely criticized. I will not go into an analysis of the situation. I do not wish to reopen the entire question as the Paris conference is underway. I merely call attention to the fact that General Westmoreland has now publicly expressed opinions similar to those expressed by many Members of the Senate, which opinions have been backed by private assessment of military authorities for a long time.

Mr. President, I invite attention to one other unusual facet of the matter. This article, for the accuracy of which I can not vouch, reports that General Westmoreland has privately expressed sharp disagreement, if not criticism, of President Johnson's policy in three different respects: One, the number of troops; two, the expansion of the war or nonexpansion of the war; and, three, the bombing policy which President Johnson decided upon.

If this article is true, I am a little surprised that General Westmoreland was promoted.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I have referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GENERAL WESTMORELAND SEES NO "VICTORY" (By Donald Kirk)

SAIGON.—It was the last question of the last press conference and Gen. William C. Westmoreland looked almost relieved the ordeal was over.

"General," the reporter asked, "can the war be won militarily?"

Westmoreland, departing after four years as commander of the U.S. Military Assistance Command here, gave perhaps the frankest answer of his tour.

"Not in a classic military sense," he said. The one brief phrase admitted all the frustrations and disappointments with which he leaves the most difficult post of his—and perhaps any other American general's—career.

The general explained why the United States cannot win in Vietnam "in a classic sense":

"Because of our national policy of not expanding the war," he said, and in those words he hinted at what some observers regard as the major setback of his tour here—his failure to persuade President Johnson to send in at least 100,000, possibly 200,000, or 300,000, more troops to oppose the steadily increasing Communist infiltration from the north.

Although Westmoreland scrupulously avoided criticizing the administration or discussing politics in any sense, he has privately expressed the view the U.S. should be able to bomb Communist troop concentrations in Cambodia and Laos. And he has also implied, always in private, his disappointment with President Johnson's decision to stop the bombing over the northern part of North Vietnam.

Even if the U.S. had the freedom to attack North Vietnamese troops wherever they were, even if American troop strength here were substantially increased, Westmoreland has said, again privately, that it would take another 18 months to win the war.

For the record today, however, Westmoreland maintained his customary pose of optimism and progress. Even if the U.S. could not win the "classic" victory that every general wants, Westmoreland insisted that "the enemy can be attrited, the price can be raised—and it is being raised to the point that it could be intolerable to the enemy."

The war, he concluded, "may reach a point where it's a question of destroying his country and jeopardizing the future of the country if he continues to pay the price that he is now paying and destined to pay in the future."

The press conference was over and Westmoreland left quickly, shaking hands with reporters and smiling. There was no time to ask what country he meant—North or South Vietnam—or how much of a price he thought the enemy could pay.

Four and a half years after Westmoreland arrived in Vietnam, as deputy commander already marked to succeed Gen. Paul D. Harkins in command, the United States still faced the problem of defeating an enemy apparently willing to meet every American escalation with escalation of its own.

That, at least, was the unspoken inference of all that Westmoreland said in his press conference, starting with a summary of military developments during his tenure.

"I cannot forecast what is going to happen next," Westmoreland said in reply to a question. "It would appear the enemy will continue to bring pressure on Vietnam."

Westmoreland carefully avoided saying the U.S. was on the verge of a "military breakthrough" and he avoided saying just how much or when he thought the United States could really scale down its military commitment.

Instead, he remarked, with purposeful vagueness, that he still thought, as he has said in Washington last fall, that the South Vietnamese army could begin replacing American troops by the end of next year.

Westmoreland flinched at the word "stalemate," a term that generals and administration officials have spurned ever since reporters began using it last year to describe the war.

"I would not say that 'stalemate' is an accurate description of the military situation," said Westmoreland. "Look at the number of arms caches destroyed, the number of people killed. The enemy doesn't have the manpower or resources to take these losses in stride."

A minute or two later, Westmoreland said the matter of defeating North Vietnam "boils down to a matter of resolve—if the enemy wants to continue having his troops chewed up, if he feels time is on his side, he can continue for a long time."

It is the knowledge that the enemy, noted for nothing if not resolve, can "continue for a long time" that disturbs Westmoreland the most as he leaves a job that he, by his own admission, has "not completed."

Whatever historians may write about the war, Westmoreland—in private—has made clear his conviction that it is the politicians at home, not the generals in Vietnam, least of all he, who is responsible for America's failure to win a decisive, "classic" victory.

That was Westmoreland's parting thought, unspoken but implied beyond doubt, as he gave his farewell press conference, pointing at the familiar names on the map, recounting the big operations, the decisive dates, the moments when the enemy escalated and he escalated and he prevented them from "cutting the country in two" in 1966 and "taking the northern two provinces and the central highlands" in 1968.

That was what Westmoreland wanted known—that he, least of all he, was to blame

for the endless stalemate and war of mutual escalation that is Vietnam.

Several Senators addressed the Chair. The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. MILLER. Mr. President, as a member of the Committee on Armed Services, I wish to make comment in response to the statements made by the distinguished Senator from Tennessee. I have read with great interest the article to which the Senator referred. I think the Senator has put his finger squarely on the key problem that exists when he asked what is meant when General Westmoreland said that our national policy is not to expand the war.

With all respect to my colleague from Tennessee, I must tell him that this is an entirely proper statement for a military officer to make. The military of our country must abide by the national policy established by the Commander in Chief, the President of the United States.

I think that General Westmoreland well stated the national policy because all of us heard the President state on many occasions that he did not intend to widen or expand the war. I think what General Westmoreland did was to point out that within the framework of that policy, we cannot expect a military victory in the classical sense, and by "in the classical sense" is meant the occupation and destruction of government, such as occurred in the case of Germany in World War II.

However, I would point out the following observation.

I think it is common knowledge that our military forces have been fighting a bitter and miserable war for a long time with one hand tied behind their backs; and the longer the war goes on and the more we tie their hands the greater the casualty lists are going to become.

During the last month the casualty list has been the worst since the war began. This has followed from the fact that the North Vietnamese have increased and escalated the flow of troops from the North to the South.

On February 1, at the White House, the President, in awarding a Congressional Medal of Honor, said:

Let those who would stop the bombing answer this question: What would the North Vietnamese be doing if we stopped the bombing and let them alone. The answer, I think, is clear. The enemy force in the South would be larger. It would be better equipped. The war would be harder. The losses would be greater. The difficulties would be greater. And of one thing you can be sure: It would cost many more American lives.

The President's words have come true.

I think what we, as the Congress, must decide is whether or not we are going to take some action which will let the Chief Executive know whether or not we approve of the conduct of the war policy. I said this several weeks ago during the session we had when the Senator from Arkansas raised the question of whether or not Congress should be consulted more. If at the time of the Gulf of Tonkin resolution I had known that 2 years later the Preparedness Investigating Subcommittee would point out that during 1966, of the thousands and thousands of sorties flown over North Vietnam, less

than 1 percent would be directed at key military targets, I would never have voted for the Gulf of Tonkin resolution. I think those of us who voted for it—and practically all of us did—did so on the assumption that the Commander in Chief would take all action necessary to protect the men fighting over there instead of tying their hands behind their backs.

Mr. President, I would like to know whether the leadership will see fit to consult with Congress more than has been the case heretofore; and I hope and pray it will, because I believe that the American people are not going to tolerate a prolongation of this war with these increasing casualties, and they should not do so.

THE INTERNATIONAL GRAINS ARRANGEMENT OF 1967

Mr. LAUSCHE. Mr. President, in all probability, tomorrow we will vote on the International Grains Arrangement of 1967. I am opposed to the ratification of this International Wheat Trade Convention because it would reduce U.S. wheat exports, adversely affect the balance-of-payments position of the United States, and also depress the wheat prices to American farmers.

In the report of the committee it is stated that this convention has been adopted or is recommended for adoption because it assures "access to the markets of importing countries." I do not believe that that statement is correct. The adoption of the convention would not assure, in the manner we anticipate, access to the markets of importing countries. Importing countries of wheat and other foods have prevented American exports from entering their borders through the adoption of certain restrictive measures. They are as follows:

Some countries have one or more price supports. They have import levies against deliveries of food to the shores or borders of their countries. They have direct import controls. They also have export and import subsidies. They have bilateral trade agreements which reduce multilateral access to certain commercial markets. Finally, they have various types of two-price systems and concessional sales.

It was our anticipation that these restrictive provisions adopted in foreign countries against the entry into their borders of foreign food exports would be in a measure ameliorated in the Kennedy round discussion on tariffs. The fact is that the restrictions, as contained in the past are there now.

Thus, I say to Senators, that the statement "assured access to the markets of importing countries" is an overstatement.

There is further given as a premise why this convention should be adopted that it would fix "higher minimum world trading prices for wheat." The convention would not do that.

The fixed world price, under which no exporting nation may sell as fixed by the convention, is 23 cents per bushel more than what the market brings under present conditions.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. The fixing of world prices will not help the American farmer to grow wheat, but will hurt him. Russia is not a member of the convention, nor are any of the Communist wheat-producing nations members. They will not be bound by the world price. They will expand their production and sell it at a price lower than the world market fixed price and, thus, cut into the exports of the United States.

When the price of wheat in the world market is fixed at 23 cents a bushel more than the market in its competitive operation brings, the underdeveloped countries will be further reduced in their ability to buy.

Ultimately, those countries, instead of buying, will come begging the United States, under Public Law 480, to provide them with food through payment of soft currency.

A further premise used as a recommendation for adoption of the convention is the establishment of a multilateral sharing of the world's food burden.

What does that mean?

It means that the exporting nations of wheat and food have agreed to participate with the United States in a greater degree in providing grains and food to the undeveloped and poor nations of the world. That statement as I have just declared it is sound. But, the facts do not support it. The facts are that the grain-producing countries of the world will not provide any more grain than they have in the past to help the poor, hungry nations of the world.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to proceed for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, the supply of food to the poor and hungry of the world has been a burden undertaken primarily by the people of the United States. Cries have been made regularly that other large grain-producing and food-producing countries should help carry the burden. It is contended that under this treaty, the grain- and food-producing nations of the world will increase the burden that now is carried solely by the United States. That will not happen under the treaty. The treaty provides that 4.5 million tons of grain shall be provided to the poor nations by the signatories to the treaty which I am discussing.

The U.S. commitment of this 4.5 million tons of grain would be 1.9 million tons or the equivalent of 42 percent.

The other signatory nations would provide 58 percent of the food that is to be given to the undeveloped countries. Now, this, Mr. President, is the pertinent fact with respect to this item. The record discloses unquestionably that not one of the grain- and food-producing nations will, under the treaty, be giving any more than they have given in the past to help the poor.

Examination has been made to ascertain whether Canada, Argentina, France, Germany, or other countries will provide more in the future, under this treaty, than they have in the past.

The cold fact is that they will provide nothing more.

The treaty will not help the American farmer. It will hurt him. It will not induce the grain-producing nations to carry a greater part of the burden of helping the poor. It is not in the interest of the people of the United States. It is not in the interest of the farmers.

For those reasons, I will not support the treaty.

PRIVILEGE OF THE FLOOR

Mr. SPARKMAN. Mr. President, I ask unanimous consent that Mr. Harvey Sherman, senior specialist, Legislative Reference Service of the Library of Congress, be allowed the privilege of the floor during consideration of the International Grains Arrangement of 1967, later today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY AVERELL HARRIMAN ON DEATH OF SENATOR ROBERT F. KENNEDY

Mr. JAVITS. Mr. President, Averell Harriman, now negotiating in Paris, and a former Governor of the State of New York, made a very distinguished statement upon the passing of our beloved colleague, Senator Robert F. Kennedy.

I ask unanimous consent that it be printed in the Record, and ask unanimous consent also that in any printing of the consolidated statements made upon this sad event, the statement of Ambassador Harriman may be included.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY THE HONORABLE W. AVERELL HARRIMAN

Senator Robert F. Kennedy was one of the most gallant men I have ever known. He was fearless. He faced facts squarely. It was impossible for him not to tell the truth as he saw it. I think that is why some people thought he was ruthless. At times the truth is ruthless. He supported the causes he believed in regardless of the enemies he knew that he would make. But few men have won the deep respect and affection of so many. Negroes and other minorities knew that he had accepted their cause as his own.

If he had been elected President, he would have been a great President. He shared with President Kennedy many of his inspired de-

cisions. He understood the problems of our time, and in some capacity he would have played a major role in forwarding the greatness of our country in which he had such deep faith. Our country has suffered an irreparable loss.

PROMPT ACTION NEEDED ON FEDERAL EQUAL EMPLOYMENT OPPORTUNITY COMMISSION BILL

Mr. JAVITS. Mr. President, I wish to address myself to the Senate leadership on a very delicate matter on which I hope they will give me their attention.

The Committee on Labor and Public Welfare, on May 8, 1968, reported a revised version of the bill to give the Federal Equal Employment Opportunity Commission the power to issue cease-and-desist orders, enforceable in the Federal courts, to remedy cases of unlawful, discriminatory employment practices.

Let me point out that this particular measure is not a new one. The original provision was incorporated in the Civil Rights Act of 1964. The bill which we reported was one title of the omnibus civil rights bill the President sent us at the opening of this session of Congress in 1967. It had the endorsement of the administration, many civil rights groups, the labor movement, and representatives of many State civil rights commissions.

Let me point out that 38 of the 50 States now have on their books some form of fair employment laws. This should not really be a controversial bill because it gives the Equal Employment Opportunity Commission the powers now enjoyed by many other Federal agencies, including the National Labor Relations Board and at least 31 State fair employment practice agencies.

The bill was subjected to a good deal of debate in our committee, was finally amended considerably, and reported by the committee. Now it is on the calendar as S. 3465.

I am most disturbed by reports which I have heard, and which were carried in the press, that, because of a threat of a filibuster, the administration may decide—I emphasize the word "may"—because I am addressing a plea to the administration—to pass over the bill in this Congress.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I ask unanimous consent to speak for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, it seems to me that once before, earlier this year, some were ready to give up on important civil rights legislation because of the threat of a filibuster. At that time, the full Senate faced the threat, broke the filibuster, and passed the Civil Rights Act of 1968. In my judgment, this is not the time to run from the threat of a filibuster, not even a filibuster supported by the distinguished minority leader. It is, once again, time to face the threat of those who would not allow the Senate to vote on this issue.

I believe that the threat of a filibuster on S. 3465, even if not empty, is no reason to pass over this important legisla-

tion. I believe that this bill has at least as much support as the open housing amendment previously adopted by the Senate this year after cloture was voted. Thus, in contrast to the close division among the members of the Committee on the Judiciary on the civil rights bill enacted earlier this year, S. 3465 was reported out of the Committee on Labor and Public Welfare by a vote of 13 to 2. This bill may have some opposition, but it has overwhelming bipartisan support.

Mr. President, some 38 States now have on their books some form of fair employment law. In at least 31 of those States the agency responsible for administering the fair employment practice law has powers at least as great as those which would be given to the Federal Equal Employment Opportunity Commission under S. 3465. Those 31 States have recognized that there is little point in establishing an administrative agency to administer a fair employment practice law if the agency has no power to implement its own decisions. That, however, is the position in which the Federal Equal Employment Opportunity Commission is placed under existing title VII of the Civil Rights Act of 1964. It restricts the Commission's activities to investigation of charges and negotiation of voluntary settlement agreements. If no voluntary agreement can be negotiated, the burden is placed upon the individual victim of unlawful discriminatory practices to bring his own law suit into Federal courts. In case the individual who has been unlawfully discriminated against is hardly enough to bring his own law suit, the Federal court must proceed to decide it without having available to them any of the expertise developed by the Commission in this exceedingly complex area.

Mr. President, title VII pays lip service to the idea of equal employment opportunity, but the hard fact is that the compromise worked out in 1964 under which the Equal Employment Opportunity Commission was emasculated, has gone far to destroy the act as an effective tool to end discrimination in employment in this country.

The purpose of S. 3465 is simply to make good the promise of title VII of the Civil Rights Act of 1964. The Equal Employment Opportunity Commission would be given power to hold administrative hearings and issue appropriate cease-and-desist orders only after efforts to achieve voluntary compliance have been exhausted. The Administrative Procedure Act would be applicable at all stages of the proceeding before the Commission and its orders would be reviewable in the Federal Courts of Appeals in the same way other Federal agency orders are. It would allow the Equal Employment Opportunity Commission to play a truly effective role in the fight to end discrimination in employment throughout the Nation.

It is true that under existing title VII a significant amount of progress has been made in the area of voluntary nondiscrimination agreements. The Commission has played an important, if limited, role in promoting public awareness of discriminatory employment policies and

the voluntary correction of such policies. But in the last analysis, we cannot leave observance of the mandates of title VII to voluntary choice. So long as Federal law clearly makes it unlawful to follow discriminatory employment policies, there should be an appropriate Federal instrumentality established to enforce the strictures of the law.

Furthermore, although the Commission has had some success in promoting voluntary compliance with the law, the rate of voluntary compliance has actually considerably decreased in recent months, thus indicating that the Commission is more and more facing the type of "hard core case" which will only yield to the compulsion of the law.

Finally, Mr. President, I would point out that of all the recommendations of the President's Commission on Civil Disorders, which I endorse, this would be the least costly. It is all too apparent that because of the present budgetary crisis, as shown in the attitude of the Congress, implementation of most of the Commission's recommendations will not be possible this year, at least. But S. 3465 is one almost no-cost measure which can and should be adopted now. I therefore urge the majority leader to call up this bill as soon as possible, and preferably next week, if he can do it.

In any case, I point, with the hope that it receives the attention which it deserves, to the fact that we should not be intimidated in respect to this bill by threats of a filibuster, any more than we were earlier this year in respect to the fair housing legislation.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

REPORT OF AUTHORIZED DEFICIENCIES IN APPROPRIATIONS, DEPARTMENT OF DEFENSE

A letter from the Deputy Secretary, Department of Defense, reporting authorized deficiencies to be incurred for the necessities of the current year in appropriations in addition to those indicated in his letter of May 13, 1968; to the Committee on Appropriations.

PAYMENT OF JUDGMENT IN FAVOR OF MUCKLESHOOT TRIBE OF INDIANS

A letter from the Assistant Secretary of the Interior transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay a judgment in favor of the Muckleshoot Tribe of Indians in Indian Claims Commission docket numbered 98, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

OLDER AMERICANS ACT OF 1965

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to strengthen and improve the Older Americans Act of 1965 (with an accompanying paper); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:
A resolution of the Senate of the State of New Jersey; to the Committee on Finance:

"SENATE RESOLUTION

"Whereas, There is at present pending in the Congress of the United States legislation to impose a mineral severance tax amounting to 5 per cent of the gross income from any domestic mineral property; and

"Whereas, By permitting taxpayers to credit against the payment of this Federal tax the amount paid in State severance taxes, this legislation has the intent of promoting uniform rates among the States and, at the same time, will encourage the imposition of such taxes by the States; and

"Whereas, Such taxes, whether imposed by the States or the Federal Government, erode the competitive position of domestic mineral extractors as against foreign imports, threaten the economic stability of the industry and risk the loss of this industry's current contribution to the national economy; and

"Whereas, The deleterious effects of such taxes have recently been experienced by the State of Minnesota, which, after suffering loss of iron mining operations which moved to Canada to escape this tax, repealed said tax; and

"Whereas, Such a tax, added to the obligations of the domestic mining industry in terms of high wage levels, other State and Federal taxes and compliance with other Federal regulations—all imposing economic burdens which do not affect foreign competitors—would be highly inequitable to the domestic industry and would gravely affect its ability to compete with foreign producers not only in the export market but also in the domestic market; now, therefore,

"Be It Resolved by the Senate of the State of New Jersey: That the health of the mining industry in this country and the best interests of the national economy would be ill served by any Federal legislation imposing a mineral severance tax or encouraging the imposition of any such tax by State Governments; and

"Be It Further Resolved, That this resolution be spread upon the Journal of the Senate, and that copies be sent to the Speaker of the United States House of Representatives, the Vice President of the United States and to each of the members of Congress elected from this State.

"SIDO L. RIDOLFI,
"President of the Senate.

"Attest:

"HENRY H. PATTERSON,
"Secretary of the Senate."

A resolution adopted by the board of supervisors, San Mateo County, Calif.; praying for the enactment of legislation to amend the Social Security Act; to the Committee on Finance.

Memorials from sundry citizens and organizations of the United States, relating to the death of Hon. Robert F. Kennedy; ordered to lie on the table.

MEMORIALS RELATING TO THE LATE SENATOR ROBERT F. KENNEDY

Mr. BYRD of West Virginia. Mr. President, I have before me various memorials received from officials of foreign governments, addressed to the Vice President or to the Senate, expressing deep regret at the recent passing of Senator Robert Kennedy. I ask unanimous consent that they be printed in the RECORD and referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, it is so ordered.

The memorials were referred to the Committee on Foreign Relations, as follows:

JUNE 6, 1968.

To the U.S. Senate,
Washington, D.C.:

Our sincere grief over the death of the late lamented Senator Robert Kennedy. I beg to accept our heartfelt condolences.

The PERSONNEL OF THE SCACC.

JUNE 6, 1968.

To the Honorable U.S. Senate,
Washington, D.C.:

The Senate of Nicaragua vividly moved by the death of the Honorable Robert Kennedy shares the sorrow that has afflicted the people of the United States and in particular its Senate of which the illustrious departed has been a member.

Yours truly,

MARIANO ARGUELLO,

President of the Senate of Nicaragua.

PABLO RENER,

Secretary.

EDUARDO RIVAS GASTEALAZORO,

Secretary.

The President,
U.S. Senate,
Washington, D.C.:

The Senate of Chile deeply shocked over the terrible misfortune that has afflicted your agency by the passing of Senator Robert Kennedy expresses its feelings of sorrow and grief and wishes at the same time that his sacrifice may not have been in vain and that it will help call on all the people of this world to live in harmony and lasting peace.

LUIS FERNANDO LUENGO,
Vice President of the Senate,
PELAGIO FIGUEROA TORO,
Secretary of the Senate.

JUNE 6, 1968.

To the U.S. Senate,
Washington, D.C.:

The Legislative Assembly of Costa Rica condemns the act that put an end to the life of the distinguished Senator Robert F. Kennedy, and expresses to the U.S. Senate its profound grief over this deplorable matter.

FERNANDO VOLIO,
President of the Legislative Assembly of
Costa Rica.

SAN JOSE, COSTA RICA,
June 6, 1968.

His Excellency HUBERT H. HUMPHREY,
President of the U.S. Senate,
Washington, D.C.:

Having learned of the tragic passing of the illustrious Senator Robert F. Kennedy the people and the Government of Costa Rica are deeply shocked. On behalf of this people and Government I beg Your Excellency to accept our sympathy and to make it known through your intermediary to the Congress of the United States. I also ask you to transmit our repudiation of such an execrable crime which put an end to a valuable life and plunged into sorrow a noble and good people deserving lasting happiness.

JORGE VEGA RODRIGUEZ,
First Vice President, acting on behalf of
the Presidency of the Republic.

The Congress of the Republic express heartfelt condolences to the Senate, Government, and people of the United States of America upon the tragic death of the illustrious and distinguished Senator Robert F. Kennedy and regrets such an irreparable loss which constitutes a hard blow to American democracy.

J. GREGORIO PREM B.,
President of the Congress of the Republic
of Guatemala.

PORT AU PRINCE, HAITI,
June 6, 1968.

To the PRESIDENT,
U.S. Senate,
Washington, D.C.:

The Legislative Chamber of Haiti is shocked and through me as its spokesman expresses to you its indignation in the face of the crime that has taken the life of one of the Members of your great agency, Senator Robert Kennedy. These acts of violence freely preached and spread are of a persuasive force in an advanced democracy and there is no need for me to comment on it. On behalf of my colleagues of the Legislative Chamber and in my own name I wish to express to the Members of the U.S. Senate my heartfelt sympathies.

ULRICK ST. LOUIS,
President of the Legislative Chamber
of Haiti.

SAIGON,
June 8, 1968.

The PRESIDENT,
U.S. Senate:

Deeply moved by the news about the death of Senator Robert Kennedy expressing to you my heartfelt condolences and respects.

PHAN HUY DUC,
President.

BONN, GERMANY,
June 8, 1968.

HON. HUBERT H. HUMPHREY,
Vice President of the United States of America, U.S. Senate, Washington, D.C.:

On the occasion of the heavy loss suffered by you and the United States of America through the death of Senator Robert Kennedy, I wish to assure you of my deepest sympathy and, at the same time, to express to you my sincere wish that those politically responsible in your country and the American people succeed in a speedy overcoming of the crisis caused by this heinous deed, for the benefit of your country and the whole free world.

LUDWIG ERHARD,
Federal Chancellor, Retired.

PRESIDENT OF THE DEMOCRATIC PARTY,
Washington:

The Liberal Party of Honduras expresses through your intermediary to the U.S. people its immense grief over the abominable crime perpetrated against the illustrious person and eminent Senator Robert F. Kennedy. We participate with you in this moment of worldwide sorrow.

CARLOS ROBERTO REINA,
President of the Executive Central
Council of the Liberal Party.

MOSCOW, RUSSIA,
June 7, 1968.

To the Senate of the United States of America:

I convey to you my deep sympathy on the occasion of the tragic death of the progressive leader, Senator Robert Kennedy. I hope that the high ideas for which he fought will be carried on by all honest people of America.

WRITER LARIONOVA,
WASHINGTON, D.C.,
June 8, 1968.

THE PRESIDENT OF THE SENATE,
Senate Office Building,
Washington, D.C.:

In these tragic hours of national mourning in which once more the Government and the people of America have been plunged as a result of the death of the young and dynamic Senator Robert F. Kennedy, so cowardly assassinated, I wish to express to you my most heartfelt condolences and those of the officials and employees of the Embassy of Gabon in the United States.

LEONARD A. BADINGA,
Ambassador.

JUNE 6, 1968.

MR. HUBERT H. HUMPHREY,
President of the Senate and Vice President
of the United States of America.

We wish to express our most sincere sympathy on the occasion of the villainous killing of the outstanding leader of the U.S.A., Robert F. Kennedy. The infamous crime to which Robert F. Kennedy fell victim arouses a feeling of indignation in the Soviet people.

I. SPIRIDONOV,
Chairman of the Supreme Soviet of
the U.S.S.R.

IV. PALECKIS,
Chairman of the Soviet of Nationalities U.S.S.R.

Honduran University youth deeply moved in face of the loss of the greatest and genuine representative of the ideals and principles of democratic youth, strongly condemn vile assassination. We urge U.S. youth to continue fighting for the ideals which led to the death of such an illustrious leader.

FEDERATION OF UNIVERSITY STUDENTS
OF HONDURAS.

On behalf of the Legislative Chambers and myself I express to Your Excellency our deep mourning laid upon us by the regrettable passing of the eminent Democratic Senator Robert Kennedy, requesting that you extend these expressions to his afflicted and distinguished family.

Sincerely,
Dr. LUIS ADOLFO SILES SALINAS,
President of the Congress of Bolivia.

The Ecuadorian people deplore the death of Senator Robert Kennedy, the worthy exponent of universal culture and civilization. Dr. GUILLERMO MOLINA DEFRANC,
Minister of Public Health of the Republic of Ecuador.

This association and our people join you in this grievous moment.

MIGUEL MOLINA,
President, Association OAS Ex-Scholarship Students of Honduras.

JUNE 9, 1968.

MR. HUBERT HUMPHREY,
President, U.S. Senate,
Washington, D.C.:

Workers of Israel shocked and grieved beyond words by untimely death of Robert F. Kennedy at assassins hands. With his death American people and all mankind have lost a man of truth and justice, valiant and dauntless fighter for free society conceived in justice and right of nations to exist in all parts of the world. Please convey profound sympathy and condolence to bereaved family and friends of deceased. We shall always honour and cherish his memory.

Y. MESHEL,
Acting Secretary General, Histadrut General Federation of Labour in Israel.

SAIGON,
June 8, 1968.

THE SPEAKER OF THE U.S. SENATE,
Washington, D.C.:

Greatly shocked when learning that Senator Robert Francis Kennedy a world-wide famous fighter for the freedom for Americans and world peoples, especially Vietnamese, was tragically and senselessly assassinated, all members of the Alliance for Freedom and Vietnamese Association of Gratitude to the Allied Armed Forces fighting for Vietnam's freedom, join to me to cable you our deepest feelings of regrets. We respectfully ask you to convey to the American people and to the mournful family of late Senator R. F. Kennedy our sincere condolences.

Engineer NGUYEN DINH CON,
Chairman of Vietnam Alliance for Freedom.

CARACUS, VENEZUELA.
I express to you my deep sorrow for the tragic loss of Senator Kennedy. The shining

figure of that institution and the untiring apostle in the struggle for freedom, justice, and peace.

Deputy HUGO BRICENO SALAS.

To the Congress of the United States of America, Capitol, Washington, D.C.:

The Consul of Lebanon representing the Lebanese colony in Puerto Rico expresses through this message of condolence his adherence to the feelings of the North American Government and people for the irreparable loss of he who was an eminent member of American society and politics. Senator Robert F. Kennedy. At the same time we raise up our strong condemnation for the act of barbarism and assassination committed on the person of such an illustrious Senator and bulwark of Democracy on our continent and the whole world.

SALIVE TARTAK,
Honorary Consul of Lebanon in Puerto Rico.

Please accept and transmit to the Senate under your presidency the expression of deep regret and sincere sorrow from this Spanish Parliament upon the tragic death of Senator Robert Fitzgerald [SIC] Kennedy with the strongest protest and rebuke for the vile assassination of which such an illustrious patrician and valiant knight of the ideals of peace and human solidarity to which all we men of good will subscribe was the victim.

Sincerely,
ANTONIO ITURMENDI,
President of the Spanish Parliament.

The death of Senator Robert Kennedy, indefatigable fighter for World Peace, faithful representative of the best value of the North American people and young hope of better days for humanity, has touched us to the very depths of our spirits. Please accept the expressions of the unanimous feeling of regret of this body and the evidence of our personal and heartfelt condolences.

HECTOR VALENZUELA VALDERRAMA,
President of the Chamber of Deputies of Chile.

LIMA, PERU,
June 5, 1968.

Vice President HUMPHREY,
U.S. Senate,
Washington, D.C.:

The attempt on Senator Kennedy has hurt world democracy. I ask you to convey my sympathy to the United States Senate and to the family of Senator Kennedy.

ARMANDO VILLANUEVA DEL CAMPO,
President of the Chamber of Deputies.

JUNE 5, 1968.

THE PRESIDENT OF THE SENATE,
Washington, D.C.:

On behalf of the Bolivian Senate I wish to express our concern over the criminal attempt on the Democratic Senator Kennedy wishing him a speedy recovery.

Yours sincerely,
MANFREDO KEMPF MERCADO,
President of the National Senate.

LIMA, PERU,
June 5, 1968.

HIS EXCELLENCY THE PRESIDENT OF THE SENATE,
Washington, D.C.:

In a session held today on the initiative of Senator Luis Alberto Sanchez with the adhesion of the political parties represented in this Congress the Senate of Peru wishes to express to your high chamber and presidency its protest, rejection and sorrow over the attempt of which has become a victim Senator Robert Kennedy presidential candidate of your republic and great friend of our nation. We ask you to transmit our sympathy to him and his worthy family. This chamber considers this painful event as an

affront to the democracy and solidarity of the American peoples.

Yours sincerely,

DAVID AGUILAR CORNEJO,
President of the Senate of Peru.

BRUSSELS, BELGIUM,
June 6, 1968.

To the PRESIDENT OF THE SENATE,
Washington, D.C.:

I have learned with painful grief about the fatal result of the abominable attempt of which Senator Robert Kennedy has become a victim. I bow with emotion while remembering this great citizen taken at the prime of his life from his country whose outstanding servant he was and from the cause of peace of which he was a courageous champion. Please convey to the United States Senate and to the family of Mr. Kennedy my heartfelt sympathies and those of the Senate of Belgium.

PAUL STRUYE,
President of the Senate.

BOGOTÁ, COLOMBIA,
June 5, 1968.

To the U.S. Senate,
Washington, D.C.:

As Democrats and in the name of the Colombian transportation [association?], we decidedly deplore the treacherous attack of which became a victim Doctor Robert Kennedy, a courageous and intelligent person, one of the real Representatives of his country and an outstanding defender of human rights.

Respectfully,

VICTOR LINO FRANCO.

JUNE 5, 1968.

To the U.S. Senate,
Washington, D.C.:

On behalf of the sovereign national Congress of the Republic of Honduras over which I have the honor to preside we deplore the condemnable attempt on Senator Robert Kennedy and pray for the speedy recovery of the illustrious representative of the aspirations of the Democratic world.

MARIO RIVERA LOPEZ.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PASTORE, from the Committee on Appropriations, without amendment:

H.J. Res. 1268. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 1227).

By Mr. PROXMIRE, from the Committee on Banking and Currency, with amendments:

H.R. 6157. An act to permit Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotment (Rept. No. 1228).

By Mr. SCOTT, from the Committee on Commerce, with amendments:

S. 3245. A bill to extend for an additional two years the authorization of appropriations under the State Technical Services Act of 1965 (Rept. No. 1231).

By Mr. MAGNUSON, from the Committee on Commerce, with amendments:

H.R. 6279. An act to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data (Rept. No. 1230).

REPORT OF COMMITTEE ON S. 1974—TO MAKE FOREIGN GENERATED SURPLUS PROPERTY AVAILABLE TO DOMESTIC AGENCIES (S. REPT. NO. 1229)

Mr. GRUENING. Mr. President, I am today, on behalf of the Senate Commit-

tee on Government Operations, reporting without amendment, S. 1974, a bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to make foreign generated surplus property available to domestic agencies.

The Senate Subcommittee on Foreign Aid Expenditures, of which I am chairman, has been given the responsibility of investigating the Federal surplus property program both at home and abroad.

In the course of carrying out its responsibility, the subcommittee conducted an investigation into and held hearings on the surplus property program of the Agency for International Development. As a result, the subcommittee, in a report approved by the Senate Committee on Government Operations—report No. 1089, April 10, 1968—found that the AID's surplus property program abroad had been grossly mismanaged, that Federal funds had been misspent, and that surplus property, which could be put to good use by health and education agencies in the United States, was lying unused in many foreign countries.

Highlights of the committee report are as follows:

Since 1960, the Agency for International Development has obtained about \$400 million in excess equipment and supplies mainly from Department of Defense stocks in the United States and overseas. Over \$100 million of this amount had been obtained in advance of known requirements and was sent to private contractors for repair and rehabilitation before being delivered to foreign countries under the economic assistance program.

The subcommittee's investigation of the program has disclosed gross waste and mismanagement resulting from the failure of AID to apply effective controls over contractor operations and over the programming and utilization of excess property in foreign countries.

OVERCHARGES ON REPAIR CONTRACTS

The subcommittee uncovered the fact that AID contractors had overcharged the Government by submitting bills for repair work not actually performed as well as for excessive labor hours. The full amount of such overcharges is difficult to determine because AID did not make sure that the repair contractors maintained adequate records, but partial audits have resulted in claims of over \$600,000 for 1966 and 1967 alone. The subcommittee is of the opinion that overpayments to repair contractors since the start of the program far exceed \$1 million.

DELIVERY OF DEFECTIVE EQUIPMENT

In addition, the subcommittee investigation disclosed that substantial quantities of equipment have been delivered to recipient countries in defective condition. The equipment, which consisted of trucks, tractors, cranes, bulldozers, electric generators, and other major items, was not operative on arrival in foreign countries or broke down shortly after being put into use. For example, 500 major pieces of defective and broken-down equipment were found in Saigon that had been brought there to relieve the

congestion at the port. Port congestion has cost the United States millions of dollars in demurrage and other costs. AID had to contract with a private firm to repair the equipment in Saigon at substantial additional cost even though the items were supposed to have been overhauled before being sent to Vietnam.

Numerous cases of defective equipment were also found in Turkey, Thailand, and other countries.

AID OFFICIALS IGNORED KNOWN PROGRAM DEFICIENCIES

These conditions were known to many middle-echelon personnel of AID and were also disclosed in a number of independent and agency studies. However, they were ignored by top agency officials and no action was taken to correct the situation until the subcommittee initiated its investigation of the program, and brought its findings to the agency's attention.

DEPARTMENT OF DEFENSE SUBSIDIZED AID EXCESS PROPERTY SHIPMENTS

The subcommittee's review of the arrangements AID had worked out with the Department of Defense for the transportation of excess property from the repair shops to foreign countries, most of which was done in vessels operated by the Military Sea Transportation Service, disclosed that AID had been paying the Department of Defense far less than the cost of such services. After this matter was brought to DOD's attention, it admitted that there was no authority or justification for any transportation subsidy and initiated a claim against AID for over \$400,000.

AID AGREES WITH SUBCOMMITTEE FINDINGS

Top agency officials testifying before the subcommittee admitted that these serious shortcomings existed in the management of the excess property program. They stated that the fault lies with the agency's policy to acquire the maximum amount of property, to make minimum repairs before shipping the items to foreign countries, and in the agency's failure to employ a sufficient number of trained inspectors to check on contractor's performance. Agency officials outlined the actions now being taken to correct each of these deficiencies which, in the opinion of the subcommittee, should result in a much improved program in the future if these corrective actions are properly carried out.

As a result of its investigation and hearings, the committee recommended:

Under existing legislation, AID can obtain unlimited quantities of excess property overseas from other Federal agencies. Domestic acquisitions of excess property is limited to \$45 million per year, of which only \$15 million can be held in inventory at any time. The limitation on domestic excess property is designed to keep AID from making too heavy an inroad on the amount of Federal excess property available to State and local health, education, and civil defense agencies.

The subcommittee asked the Governors of the fifty States for their comments on the desirability of making AID's overseas excess property acquisitions available to State and local agencies before it could be sent to foreign countries. The overwhelming number of replies indicated support for such proposal. Most of the Governors complained that in recent years there had been a decreasing amount of Federal surplus property

available to the States at a time when there was increasing need for such property. Some of the replies indicated concern that under existing legislation foreign communities were given a higher priority in obtaining excess property than our own communities.

The subcommittee believes that a reordering of priorities is now required. There can be little justification for furnishing useful equipment and supplies to towns, villages, and local agencies in foreign countries when such material is desperately needed by local communities and agencies in our own country. This situation can be corrected only by legislative action since testimony received from the executive agencies indicated that they were split on this matter. Such legislation should be given prompt consideration by the Congress.

S. 1974, which I have reported today, carries out these recommendations for needed legislation and I hope that the Senate will act upon it favorably as soon as possible.

The PRESIDING OFFICER. The report will be received and printed, and the bill will be placed on the calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DODD (for himself, Mr. MAGNUSON, Mr. PASTORE, Mr. JAVITS, Mr. FONG, Mr. SMATHERS, Mr. RIBICOFF, Mr. BREWSTER, Mr. TYDINGS, Mr. MONDALE, Mr. CASE, Mr. MONRONEY, Mr. PROXMIER, Mr. WILLIAMS of New Jersey, Mr. LAUSCHE, Mr. NELSON, Mr. MCINTYRE, Mr. GRIFFIN, Mr. PELL, Mr. INOUE, Mr. CLARK, Mr. BROOKE, Mr. RANDOLPH, Mr. SPONG, Mr. PERCY, Mr. MUSKIE, Mr. HARTKE, and Mr. SCOTT):

S. 3633. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary; to be referred to the Committee on Commerce when reported from the Committee on the Judiciary, by order of the Senate of June 11, 1968.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself, Mr. BREWSTER, Mr. PROXMIER, Mr. RANDOLPH, Mr. YOUNG of Ohio, Mr. PELL, Mr. JAVITS, Mr. SMATHERS, Mr. MONDALE, and Mr. HARTKE):

S. 3634. An act to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition; and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. TYDINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself, Mr. MONTOYA, and Mr. SMATHERS):

S. 3635. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING:

S. 3636. A bill for the relief of Wai Keung Tsang; to the Committee on the Judiciary.

By Mr. BROOKE (for himself, Mr. CASE, Mr. JAVITS, Mr. SCOTT, Mr. FONG, and Mr. HARTKE):

S. 3637. A bill to provide for the establish-

ment of a national firearms registry; to the Committee on the Judiciary.

(See the remarks of Mr. BROOKE when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for Mr. MONTOYA, Mr. EASTLAND, Mr. HARRIS, Mr. LONG of Missouri, Mr. MANSFIELD, Mr. MCGOVERN, Mr. METCALF, Mr. MILLER, Mr. MUNDT, Mr. NELSON, Mr. PROXMIER, and Mr. YARBOROUGH):

S. 3638. A bill to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. BYRD of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. PEARSON (for himself and Mr. MORTON):

S.J. Res. 176. Joint resolution to authorize the President to designate the calendar week beginning October 13, 1968, as "Salute to Eisenhower Week;" to the Committee on the Judiciary.

(See the remarks of Mr. PEARSON when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HARRIS:

S.J. Res. 177. Joint resolution to authorize the President to issue a proclamation designating the 30th day of September in 1968 as "Bible Translation Day;" to the Committee on the Judiciary.

(See the remarks of Mr. HARRIS when he introduced the above joint resolution, which appear under a separate heading.)

S. 3635—INTRODUCTION OF BILL TO AMEND THE SMALL BUSINESS ACT

Mr. SPARKMAN. Mr. President, I am today introducing this bill as an amendment to the Small Business Act to enlarge the scope of a certificate of competency which the Small Business Administration has authority to grant small business bidders for Government contracts.

Under the law as it now exists, a certificate of competency is conclusive evidence that a small business bidder for a Government contract has the plant and manpower resources, necessary technical know-how, productive capacity, financial responsibility, and credit rating to perform the prospective contract work concerning which the certificate has been issued. The certificate as now interpreted makes no determination with respect to other factors of bidder responsibility, such as past performance, integrity, ethics, motivation, perseverance, and tenacity. This limitation on the scope of the certificate of competency has caused considerable confusion and difficulty in a number of procurement actions and has greatly restricted the usefulness of the COC. The purpose of this amendment is to enlarge the scope of the certificate to include all elements of responsibility such that when the Small Business Administration has issued a certificate to a small business firm bidding for a Government contract, all questions of whether or not the bidder can and will perform the prospective contract work will have been answered in the affirmative and this determination in the specific case will be conclusively binding on the procuring agency.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3635) to amend the Small Business Act, introduced by Mr. SPARKMAN (for himself, Mr. MONTOYA, and Mr. SMATHERS), was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 3638—INTRODUCTION OF BILL RELATING TO MILK INDEMNITY PAYMENTS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Mexico [Mr. MONTOYA] and other Senators, I introduce, for appropriate reference, a bill relating to milk indemnity payments. I ask unanimous consent that a statement, prepared by Mr. MONTOYA, relating to the bill, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 3638) to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government, introduced by Mr. BYRD of West Virginia (for Mr. MONTOYA and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The statement of Mr. MONTOYA is as follows:

MILK INDEMNITY PAYMENTS

Mr. MONTOYA. Mr. President, I introduce today on behalf of myself and Senators Eastland, Harris, Long of Missouri, Mansfield, McGovern, Metcalf, Miller, Mundt, Nelson, Proxmire, and Yarbrough, a measure which requires our early and prompt attention.

This bill which we are introducing today would extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government. Mr. President, the dairy farmers of this country have been plagued for a number of years by a problem which is not of their making and for which the Federal Government must take full responsibility.

The problem which our dairy farmers are facing has been brought about by the use of chemicals approved by the Federal Government to dust crops. Some of these chemicals have been found to contaminate feeds. The contamination passes on into the milk and when the residues of pesticides is found to be of too high a level, the farmers are forced to dump their milk, taking it out of commercial channels. The result has been disastrous to the dairy farmers involved, some of which have had to go into bankruptcy.

Authority was first provided in 1964 to indemnify dairy farmers for their loss. This authority has been extended on several occasions. The present authority expires on June 30, 1968. It is imperative that we move promptly to continue this authority beyond the June 30, 1968, date.

Mr. President, last year when we extended the authority, the U.S. Department of Agriculture in testifying for the bill indicated that steps were being taken to remedy the

situation. There had been, at that time, reasonable prospect that the problem would have diminished to a point that further extension of the authority would not have been necessary. However, as the Department testified then, several large producers had their milk removed from the market because of DDT residue. The problem had in fact not been solved. The local dairymen, the State Governments involved, dairy and cotton associations, and the U.S. Department of Agriculture have been cooperating in an effort to rid us of this problem. The problem, however, still continues and it appears that it will continue for the foreseeable years to come.

For the above reasons, I believe it is not only urgent that we act to extend this authority but it should be extended for a sufficient period to permit the Secretary of Agriculture to make the necessary indemnity payments without having to keep coming back to the Congress year after year for the same legislation. If it should develop that the problem is solved prior to the three year extension which we are now seeking—and we all certainly hope that a solution can soon be found—nothing would be lost since the Secretary is authorized to indemnify only those losses which actually occur. If there are no losses, the Secretary indemnifies nothing. However, the authority would be there for him to use in the event a solution is not found—which would seem the most probable occurrence.

Mr. President, with all of us eyeing an early adjournment date, it is doubly urgent that we acquire early action on this measure. Not only do we need to seek the extension of authority but we must also go before the Senate Appropriations Committee and seek the necessary funds to carry this program out in a supplemental appropriation. I, therefore, urge prompt action.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the text of this measure be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of Public Law 90-95, approved September 28, 1967 (81 Stat. 231; 7 U.S.C. 4501), is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1971".

SENATE JOINT RESOLUTION 176— INTRODUCTION OF JOINT RESOLUTION DESIGNATING SALUTE TO EISENHOWER WEEK

Mr. PEARSON. Mr. President, Dwight D. Eisenhower, former President of the United States, General of the Army, respected world leader, and one of America's truly great men will celebrate his 78th birthday on October 14, 1968.

I believe that it is altogether fitting and proper that the Nation take the opportunity of this occasion to honor and to pay special tribute to this great American and the ideals for which he has stood throughout his long, productive and exemplary life.

Therefore, I introduce today for Senator MORTON and myself a joint resolution authorizing the President to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week."

Such a salute to General Eisenhower

would be particularly appropriate at this time. His commitment to the cause of world peace serves to remind all of us that this greatest of all of man's dreams must be pursued with persistence, imagination and dedicated resolve. His personal courage and military leadership serve as an inspiring example to all our men in uniform.

This tribute is especially deserving for a great man who has unselfishly devoted his entire life to the honorable service of his country and to the cause of freedom and peace.

Mr. President, I ask unanimous consent that this joint resolution be printed in the RECORD at this point.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 176) to authorize the President to designate the calendar week beginning October 13, 1968, as "Salute to Eisenhower Week," introduced by Mr. PEARSON, for himself and Mr. MORTON, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 176

Whereas Dwight D. Eisenhower, former President of the United States, General of the Army, and world leader, has unselfishly devoted his entire life to the honorable service of his country and the cause of freedom and peace; and

Whereas the dedication of President Eisenhower to world peace serves as an ideal and a goal for men everywhere; and

Whereas his personal courage and military leadership serve as an inspiration for all men of the Armed Forces of the United States; and

Whereas President Eisenhower will celebrate his seventy-eighth birthday on October 14, 1968: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the outstanding service rendered by Dwight D. Eisenhower to his country and the world, the President is hereby authorized and requested to issue a proclamation designating the calendar week beginning October 13, 1968, as "Salute to Eisenhower Week" and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

SENATE JOINT RESOLUTION 177— INTRODUCTION OF JOINT RESOLUTION PROCLAIMING "BIBLE TRANSLATION DAY"

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, a joint resolution to authorize the President to issue a proclamation designating the 30th day of September 1968 as "Bible Translation Day."

I am particularly interested in the passage of this resolution because of my admiration and respect for the Summer Institute of Linguistics, which operates a linguistics institute, among other places, at the University of Oklahoma each summer. This joint resolution is the same one which has passed the Senate before. It has the support of the various groups active in Bible translation. I hope that it will be passed again.

I ask unanimous consent that the joint resolution be printed in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 177) to authorize the President to issue a proclamation designating the 30th day of September in 1968 as "Bible Translation Day," introduced by Mr. HARRIS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 177

Whereas there are over two thousand tribes living generally in out-of-the-way areas of the world in cultural isolation without books or even an alphabet and much less the Bible; and

Whereas the translation of the Bible into these tribal languages requires that an alphabet and a thorough grammatical analysis of the language be produced, and results in an expansion of literacy and an improvement of the cultural base of the language groups affected; and

Whereas this effort has cultural, economic, social, and political significance quite apart; and

Whereas a large group of linguistic scholars trained at the Universities of Oklahoma, North Dakota, Washington, Michigan, Indiana, California, Pennsylvania, Texas, and elsewhere are engaged in this task on a non-sectarian basis with the cooperation of foreign governments and institutions of higher learning, and deserve our encouragement; and

Whereas the first translator of both the Old and New Testaments, Saint Jerome, died on the 30th of September: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the 30th day of September in 1968 as "Bible Translation Day" and inviting the governments of States and communities and the people of the United States to observe such a day with appropriate ceremonies and activities.

SENATE RESOLUTION 303—RESOLUTION TO AUTHORIZE PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "RIOTS, CIVIL AND CRIMINAL DISORDERS"

Mr. McCLELLAN submitted the following resolution (S. Res. 303); which was referred to the Committee on Rules and Administration:

S. RES. 303

Resolved, That there be printed for the use of the Committee on Government Operations one thousand additional copies of Part 8 of the hearings before its Permanent Subcommittee on Investigations during the Ninetieth Congress, second session, entitled "Riots, Civil and Criminal Disorders."

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—AMENDMENT

AMENDMENT NO. 848

Mr. SCOTT. Mr. President, the beginning of conversations between representatives of the United States and North Vietnam in Paris is an encouraging development. Ample previous experience in negotiating with Communists, who hold a

strikingly different conception of negotiations from ours, should guard us against the gullible diplomacy which we practiced at Teheran, Yalta, and Potsdam more than two decades ago. Moreover, the prevention, by the employment of U.S. ground, air, and sea power, of a Communist seizure of power by force in South Vietnam should undergird our bargaining position in the Paris discussions and any subsequent negotiations. Despite these hopeful signs, however, we should not be lulled into expecting easy resolution of differences leading to an early settlement of the thorny Vietnam question.

THE WRONG APPROACH

For the past several years, Vietnam has been the center of world attention. American involvement there has been splashed on millions of TV screens, criticized by numerous commentators, and analyzed by proliferating Vietnamese "experts." Vietnam has, for many, become almost a national phobia. This concentration on Vietnam has partly diverted us from giving appropriate attention to our problems at home, but it has also deflected Americans from a rational discussion of the U.S. role in the broader arena of Asia and the western Pacific.

As in some previous wars, opinion has polarized, with some groups advocating complete withdrawal and others urging a clear-cut military victory. Both extremes of opinion have failed to distinguish the war in Vietnam from other major conflicts in which the United States has been engaged in the modern era. The lesson of Vietnam is that Communist-inspired wars of national liberation or, if you will, localized insurgencies or guerrilla wars, are extraordinarily complex and cannot be coped with in the conventional military terms to which we are accustomed. A good breeding ground for Communist-inspired insurgencies is a country whose political and social structures are debilitated or virtually nonexistent in the aftermath of war's devastation, in the case of both Greece and Vietnam in 1945, or because of the total unpreparedness of a country such as Vietnam for self-government because of the selfish monopoly of political power held by her former colonial master, in this case, France. Accordingly, such an unstable political setting bodes ill for involvement by a great power, the United States, which is accustomed to conventional, neat, and quick solutions. Consequently, our difficulties in Vietnam probably will make us wary of future involvements in a similarly complicated environment, at least in the form of our Vietnam involvement.

It is thus absolutely vital that we become better acquainted with the widely different but politically underdeveloped countries of Asia and that we delineate clearly the goals and means of future American policies toward these nations.

On January 25, in this Chamber, I introduced a resolution calling for the establishment of a joint Senate-House committee to evaluate U.S. foreign aid programs. This committee would have three main goals: First, evaluating our past aid programs to see which were the most effective; second, determining the

basic goals underlying our assistance and making them precise and relevant to broader U.S. national interests; and, third, setting reasonable but strict criteria for administering and funding of aid programs.

Today I reintroduce that proposal as an amendment to S. 3091, the foreign aid bill now pending in the Senate Committee on Foreign Relations. I send my amendment to the desk for appropriate reference.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 848) was referred to the Committee on Foreign Relations.

Mr. SCOTT. Mr. President, let me elaborate some views as to how such a committee could proceed.

LET US REEXAMINE PROGRAMS

First, there is a pressing need for an objective review of all our experience in foreign aid since World War II. We need to identify the successful programs and the reasons for their success. The Marshall plan is often cited as America's greatest success in the aid field; yet, with the benefit of hindsight, we can now say that its success should have been quite predictable, given the high level of skills and education in Europe. The major problems today in giving aid arise because we are dealing with countries that never have been modernized, and, specifically, industrialized. Such countries lack enough educated leaders to comprise a political and economic elite, their economies are primitive, and, as a consequence, they cannot absorb and effectively use resources supplied through foreign aid.

U.S. aid programs have gone through numerous phases: Marshall plan aid was primarily in long-term loans, the first aid to less-developed countries, under the Point Four program, emphasized technical assistance, then we stressed industrial development, and now agricultural development is seen as the most pressing need.

To some extent, this shift in the emphasis of our aid programs reflects improvements in the advice of our development economists, but it also shows a lack of direction in our aid planning process. It is therefore essential to begin a thorough evaluation of the impact which aid has produced in recipient nations. It is impossible for legislators and aid administrators in the future to establish relevant criteria for allocating aid and judging its success without knowing the results of our past assistance.

WHAT IS THE PURPOSE OF FOREIGN AID?

Second, there is a drastic need to begin asking basic questions about the purpose of our aid programs. Aid extended to Greece and Turkey under the Truman Doctrine and to Western Europe under the Marshall plan was justified as necessary to prevent a Soviet takeover of Europe, the heart of civilization and the main bastion of our own defense. A similar justification was offered for aid to South Korea, Nationalist China on Taiwan, Laos, Vietnam, Thailand, Pakistan, and Iran.

In the context of the period, characterized by the strident expansionism of Stalin's Russia and Mao's China, this was a proper rationale, and, indeed, in the case of those countries looking into the barrel of China's gun, remains a proper rationale for military and related forms of assistance. During the latter part of the 1950's the emphasis of our rationale seemed to shift toward stressing economic assistance. Countries that showed good promise or evidence of economic reforms came into favor with our aid administrators. Yet, throughout the entire period there has been the underlying feeling that basically our aid is to create friends for the United States.

I submit that this type of vagueness is, at the worst, folly, and at the best, self-defeating, as a way to formulate policy. Too often we hear our goals stated in terms like "winning the hearts and minds of the people," "stopping the Chinese aggression," and "rolling back the tide of communism."

These objectives are no longer sufficient. They are too oversimplified for the complex world in which we live. However, their use can be explained in part by the difficulty most Americans have in differentiating among the various and sophisticated forms of assistance and the widely variant situations for which aid is tailored.

Our foreign policy is essentially a means to an end, and confusion of policy naturally follows if we are not sure what goals we have in mind. It is incumbent that the President and his key foreign policy lieutenants formulate from the complexities of international politics sensible goals and articulate them in terms understandable to the mass of Americans. A clearer public understanding of our foreign policy goals and of how foreign aid relates to and seeks to carry out those purposes would result in greater public acceptance of foreign aid as an instrument of U.S. foreign policy.

Designing an aid program should be essentially a two-stage process. First, overall foreign policy goals should be selected, and then individual programs designed to carry out the basic objectives. I am worried that we have not been successful in both stages. From the plethora of White House statements, it is very difficult to identify our primary U.S. foreign policy goals.

I have the impression that during the past decade we have often lost sight of the purposes of our foreign policy. Generally, we seek to influence events abroad so as to create a stable environment in which the United States can survive and devote itself to its domestic goals of life, liberty, and the pursuit of happiness. More specifically, I believe we should strive for three main goals: First, insuring the safety of our people from any external political or military threat; second, protecting the private interests of American citizens including the use of commercial treaties and consular activities—as long as our citizens are not pursuing policies detrimental to our national interest; and third, supporting those countries on whose survival we depend or whose political, economic, and

social development would contribute to a more stable and peaceful climate for themselves and their neighbors.

Given a set of foreign policy goals like these, I feel that the United States should give aid to—and only to—those countries that help us fulfill our objectives. It is time to tighten up and see exactly what we are getting for our aid dollars. For too long we have indiscriminately scattered our assistance.

Though it will clearly be difficult to terminate at once all aid to some long-time recipients, we must begin to look at aid in a rational manner. The fact that we have terminated or reduced economic assistance to Nationalist China, the Republic of Korea, and Iran shows that this difficulty can be surmounted. We must, therefore, undertake a thorough examination of our policies.

Would it really matter if we cut off aid to small nations where we have chiefly supported "numerous" monument building projects? Did our aid to Ghana achieve anything?

Will we continue to support both sides of the arms race between India and Pakistan?

Those are crucial questions and it is absolutely essential that we study them in depth before continuing further our aid programs. A Joint Committee on Foreign Aid could analyze our objectives in detail and clarify the vague thinking that presently underlies many of our aid programs.

WE NEED HIGHER STANDARDS

An evaluation of our foreign aid programs could serve a third important purpose: setting rigorous standards for the supervision and administration of aid. For instance, AID recently bought \$24,000 worth of a liquid for medical use in Vietnam which turned out to be sea water. The United States was overcharged \$250,000 by a Belgian firm. Those are examples of some of the flagrant corruption in our assistance programs. The American taxpayer deserves more vigilance from his Government.

Every year the General Accounting Office finds evidence of poorly planned and badly managed programs and it is time to set rigorous standards to eliminate this disgraceful waste.

Finally, the searching review that I propose should consider the size and scope of the American presence in many countries around the world where we have aid programs. As Vietnam vividly demonstrates when Americans move into a country, we seem to have a proclivity for moving in in a big way with a large complement of personnel and every item of logistical support. Limitation of staffing needs closer attention. Former Ambassador Ellis O. Briggs and others have testified to the American tendency to overstaff our missions abroad. Perhaps in its inquiry the joint committee could consider ways to reduce the governmental aspect of foreign aid and see what other new measures could be developed that would lead to greater activity abroad by the universities, foundations, and other private institutions—with smaller staffs, of course. Such a suggestion was advanced in 1967 by the eminent former Director of the World Bank, Eugene Black.

In sum, I am deeply concerned by the present direction of our foreign aid programs. I am in favor of foreign aid in principle—in fact I have been one of its most consistent supporters—but I am troubled when I see such a poorly administered and disoriented program being paid for by American taxpayers and representing the United States abroad. We need an immediate reevaluation of our aid programs. A joint Senate-House committee could examine our past programs, help delineate our future objectives, and set standards and criteria for shaping our aid policies in the future.

AMENDMENT OF DEFENSE PRODUCTION ACT OF 1950—AMENDMENT

AMENDMENT NO. 849

UNIFORM ACCOUNTING STANDARDS COULD
SAVE MILLIONS

Mr. PROXMIER. Mr. President, I submit an amendment to S. 3097 calling for uniform cost accounting standards for defense procurement.

Hearings held before the House Banking and Currency Committee on the extension of the Defense Production Act indicate that uniform accounting standards for defense contractors can save taxpayers millions, or even billions of dollars a year in lower procurement costs. According to Vice Adm. Hyman Rickover, who testified before the House committee:

The lack of uniform accounting standards is the most serious deficiency in government procurement today.

In response to committee questions, Rickover estimated the savings from uniform accounting standards "could easily be \$2 billion a year."

Under current procurement regulations, each defense contractor has wide latitude on the use of accounting systems. Regulations do establish some general criteria for cost-type contracts, but widely varying accounting systems are permitted within the criteria. Moreover, the criteria serve only as a suggested guide for fixed-price contracts which constitute the major portion of defense contracts. For these types of contracts, contractors have virtually unlimited flexibility.

Since most defense procurement is negotiated, an accurate representation of contractor costs is crucial to protect the Government. However, the type of accounting system employed can make a substantial difference in estimating contractor costs and profits on any specific contract. Different methods for charging overhead, expenses of intracompany work, depreciation, and so forth can result in wide variances in computing company profits.

An illustration of this point can be found in the case of a Navy and GAO postaudit of a single defense contract. Auditors made seven different reports containing 11 differing estimates of the supplier's actual costs. The range of difference was as much as 50 percent. The conclusion to be drawn is that cost figures or profit estimates are meaningless unless measured by a common accounting standard.

With accounting systems varying from contractor to contractor, Government

procurement officials must conduct a tedious examination of the contractor's books in order to determine whether cost estimates are reasonable. It is important, for example, that contractors not charge off an excessive amount of overhead to their Government work. Not only would the Government be overcharged, but the contractor's nondefense business would be subsidized by the taxpayers, thus enabling the contractor to compete unfairly against smaller firms without defense business.

Considering the fact that Government procurement officials are under tremendous pressure to expedite essential defense procurement, it is little wonder that the lack of uniform accounting standards has led to soaring profits on defense contracts. Defense procurement officials simply do not have the time, expertise—and for some, the inclination—to conduct a thorough review of a contractor's accounting system.

Although a Defense Department study attempts to show that profits have been declining on defense contracts, the facts prove otherwise. A GAO study reveals that during 1959-63, the average profit on all DOD negotiated contracts as a percentage of cost was 7.7 percent. By 1966, the figure has grown to 9.7 percent, or an increase of 26 percent. When one considers that DOD negotiated procurement stood at \$35 billion during fiscal year 1967, one can appreciate the enormity of the potential savings. Had profit rates remained at their earlier level, the defense bill for 1967 would have been nearly \$700 million less.

Another study by Dr. Murray Weidenbaum, of the University of Washington at St. Louis, compared the rate of return on investment of major defense firms with similar size nondefense firms. During 1962-65, the nondefense firms earned 10.6 percent on their investment, which is close to the average for the entire economy. However, the defense firms earned 17.5 percent on their investment, nearly double the national average.

Despite the clear evidence developed by objective studies, the Department of Defense continues to cling to the belief that defense profits are declining. This is symptomatic of a major managerial myopia and recalls the clear warning given by former President Eisenhower concerning the military-industrial complex. Left to its own devices, it is clear that the Department of Defense will do little to correct the problem.

There is a clear rationale for prescribing uniform accounting standards as an amendment to the Defense Production Act. Section 707 of that act states:

No person shall discriminate against orders or contracts to which priority is assigned or for which materials or facilities are allocated under Title I of this Act or under any rule, regulation, or order issued thereunder, by charging higher prices or by imposing different terms and conditions for such orders or contracts than for other generally comparable orders or contracts, or in any other manner.

Under this section, defense contractors are prohibited from discriminating against essential defense procurement "by charging higher prices." And yet, the evidence tends to show that such dis-

crimination has in fact, occurred. In any event, it is virtually impossible for the Government to protect itself from being charged higher prices unless it has an accurate estimate of contractor costs and profits; and this is virtually impossible without the application of uniform accounting standards.

The principal objection to the amendment appears to be that the application of uniform standards would be difficult and infeasible and would constitute an unjustified harassment of business. According to this view, there is no single "true" accounting system which measures costs for all business firms. Moreover, any attempt to impose a single standard on all defense contractors would merely add to the cost of the contract and would thus not be in the Government's best interest. These are almost the identical arguments initially applied against truth in lending.

In answer to these objections, the following points should be noted:

First, the amendment would only apply to negotiated defense contracts. It would not apply to the procurement of standard items where an established market and established prices existed;

Second, the amendment would not apply to contracts under \$100,000, thus alleviating any burden on the smallest defense contractors;

Third, the amendment would not require uniform standards if the GAO determines that the increased cost to the Government, if any, exceeds the potential benefits. This removes the major objection to the original House bill, which would have made the imposition of uniform standards mandatory.

Mandatory uniform accounting standards failed in the House committee by a vote of 17 to 13. As a compromise, the House bill requires the GAO to develop uniform standards and within 1 year to recommend legislation to implement the standards.

Although the House language is preferable to no language, it is difficult to see why the Congress should legislate on detailed and highly technical accounting standards. By their very nature, such standards are better left to an administrative agency. The GAO, of course, is a highly qualified and competent agency to develop uniform standards and is directly responsible to the Congress. If uniform accounting standards will actually save money, there is no need for additional legislation to effectuate such standards. They ought to be put into effect immediately without further delay.

My amendment would strike a reasonable compromise between the original mandatory House language—which narrowly failed—and the weakened House bill which calls for a study and further implementing legislation. If the GAO determines that uniform standards save money, they could be implemented without delay. If not, GAO would report to Congress with its findings.

Mr. President, I ask unanimous consent that text of my amendment to printed in the RECORD following my remarks.

The PRESIDING OFFICER. The amendment will be received and printed, and will be appropriately referred; and,

without objection, the amendment will be printed in the RECORD.

The amendment (No. 849) was referred to the Committee on Banking and Currency, as follows:

AMENDMENT No. 849

On page 1, line 6, insert the following:

"Sec. 2. Title VII of the Defense Production Act of 1950 is amended by adding at the end thereof the following new section:

"Sec. 718. The Comptroller General shall develop uniform accounting standards to be applied to all negotiated prime contract and subcontract defense procurements in excess of \$100,000. These uniform accounting standards shall include standards from which an accurate showing of production costs and profits by individual order can be determined. The Comptroller General shall consult with the Director of the Bureau of the Budget in the Development of such uniform accounting standards, and shall promulgate rules and regulations in implementation thereof not later than one year after the date of enactment of this section unless the Comptroller General determines that the cost to the government of implementing such standards exceeds the potential benefits to the government arising from the use of such uniform standards. In the event of such determination, the Comptroller General shall report the basis for such determination to the Congress not later than one year after the date of enactment of this section."

NOTICE OF HEARINGS ON DEFENSE PRODUCTION ACT

Mr. SPARKMAN. Mr. President, I wish to announce hearings by the Banking and Currency Committee on amendments to S. 3097, a bill to amend the Defense Production Act of 1950, and for other purposes.

These amendments relate to the development by the Comptroller General of uniform accounting standards for all negotiated defense contracts and subcontracts in excess of \$100,000.

The hearings will commence at 10 a.m., on June 18, 1968, in room 5302, New Senate Office Building.

Anyone wishing to testify should contact Mr. Reginald W. Barnes, assistant counsel, Senate Committee on Banking and Currency, telephone 225-3921.

NOTICE OF HEARING ON AIRCRAFT CRASH LITIGATION, S. 3305 AND S. 3306

Mr. TYDINGS. Mr. President, as chairman of the Senate Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce a change in the time of the hearing for the consideration of S. 3305 and S. 3306. These bills would improve the judicial machinery by providing for Federal jurisdiction and a body of uniform Federal law for cases arising out of certain operations of aircraft.

The hearing will be held on June 13, 1968, at 1:30 p.m., in the District of Columbia hearing room, 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the RECORD should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room

6306, New Senate Office Building, Washington, D.C.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Wednesday, June 19, 1968, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

Morris E. Lasker, of New York, to be U.S. district judge, southern district of New York, vice Richard H. Levett, retired.

Orrin G. Judd, of New York, to be U.S. district judge, eastern district of New York, vice Walter Bruchhausen, retired.

Anthony J. Travia, of New York, to be U.S. district judge, eastern district of New York, vice Matthew T. Abruzzo, retired.

Bernard Newman, of New York, to be judge of the U.S. Customs Court, vice Mary H. Donlon, retired.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. McCLELLAN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

TRIBUTE TO THE CREW OF THE U.S.S. "SCORPION"

Mr. PASTORE. Mr. President, the Navy on June 5, 1968, declared the nuclear attack submarine U.S.S. *Scorpion*, SSN-589, as lost. Lost with the *Scorpion* were 99 brave and courageous men who dedicated themselves to the Nation's and the free world's security. I ask unanimous consent to have printed in the RECORD at this point the names of these brave men who gave their lives in the line of duty and whose names will forever be part of the tradition and history of the U.S. Navy.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

Cdr. Francis Atwood Slattery, USN, Commanding Officer.

FTG2(SS) Keith A. M. Allen.

IC2(SU) Thomas Edward Amtower.

MM2(SU) George Gile Annable.

FN(SS) Joseph Anthony Baar, Jr.

RM2(SS) Michael Jon Bailey.

TMC(SS) Walter William Bishop.

IC3(SU) Michael Reid Blake.

MM1(SS) Robert Harold Blocker.

MM1(SS) Kenneth Ray Brocker.

MM1(SS) James Kenneth Brueggeman.

MMC(SS) Robert Eugene Bryan.

Lt. John Patrick Burke.

RMSN(SG) Daniel Paul Burns, Jr.

IC2(SS) Ronald Lee Byers.

MM2(SS) Douglas Leroy Campbell.

MM3(SS) Samuel "J" Cardullo.

MM2(SS) Francis King Carey.

SN(SU) Gary James Carpenter.

MM1(SS) Robert Lee Chandler.

MM2(SS) Mark Helton Christiansen.

SD1(SS) Romeo Constantino.

MM1(SS) Robert James Cowan.

SD1(SS) Joseph Cross.

RMC(SS) Garlin Ray Denney.

FN(SU) Michael Edward Dunn.

ETR2(SU) Richard Philip Englehart.
Lt. George Patrick Farrin.
FTGSN(SU) William Ralph Fennick.
Lt. Robert Walter Flesch.
IC3(SS) Vernon Mark Foll.
Lt.(jg.) James Walter Forrester, Jr.
SN(SU) Ronald Anthony Frank.
CSSN(SS) Michael David Gibson.
IC2(SS) Steven Dean Gleason.
Lt. William Clarke Harwi.
STS2(SS) Michael Edward Henry.
SK1(SS) Larry Leroy Hess.
ET1(SS) Richard Curtis Hogeland.
MM1(SS) John Richard Houge.
EM2(SS) Ralph Robert Huber.
TM2(SS) Harry David Huckelberry.
EM3(SU) John Frank Johnson.
RMC(SS) Robert Johnson.
IC3(SS) Steven Leroy Johnson.
QM2(SS) Julius Johnston, III.
FN(SU) Patrick Charles Kahanek.
TM2(SS) Donald Terry Karmasek.
MMCS(SS) Richard Allen Kerntke.
ETR3(SS) Rodney Joseph Kipp.
MM3(SU) Dennis Charles Knapp.
Lt. Charles Lee Lamberth.
MM1(SS) Max Franklin Lanier.
ET1(SS) John Weichert Livingston.
Lt. Cdr. David Bennett Lloyd.
ETN2(SU) Kenneth Robert Martin.
QMCS(SS) Frank Patsy Mazzuchi.
ET1(SS) Michael Lee McGuire.
TM3(SU) Steven Charles Miksad.
TM3(SU) Joseph Francis Miller, Jr.
MM2(SS) Cecil Frederick Mobley.
QM1(SS) Raymond Dale Morrison.
Lt.(jg.) Michael Anthony Odening.
EMC(SS) Daniel Christopher Petersen.
QM3(SS) Dennis Paul Pferrer.
EM1(SS) Gerald Stanley Pospisil.
IC3(SU) Donald Richard Powell.
MM2(SU) Earl Lester Ray.
CS1(SS) Jorge Louis Santana.
HMC(SS) Lynn Thompson Saville.
ETN2(SS) Richard George Schaffer.
SN(SU) William Newman Schoonover.
SN(SU) Phillip Allan Seifert.
ETC(SS) George Elmer Smith, Jr.
Lt.(jg.) Laughton Douglas Smith.
MM2(SS) Robert Bernard Smith.
ST1(SS) Harold Robert Snapp, Jr.
Lt. Cdr. Daniel Peter Stephens.
ETN2(SS) Joel Candler Stephens.
MM2(SS) David Burton Stone.
EM2(SU) John Phillip Sturgill.
YN3(SG) Richard Norman Summers.
TMSN(SG) John Driscoll Sweeney, Jr.
Lt. John Charles Sweet.
ETN2(SS) James Frank Tindol, III.
CSSN(SU) Johnny Gerald Veerhusen.
TM3(SS) Robert Paul Violetti.
STS3(SS) Ronald James Voss.
FTG1(SS) John Michael Wallace.
MM1(SS) Joel Kurt Watkins.
MMFN(SS) Robert Westley Watson.
MM2(SU) James Edwin Webb.
YNCS(SS) Leo William Weinbeck.
MMC(SS) James Mitchell Wells.
SN(SU) Ronald Richard Williams.
MM3(SU) Robert Alan Willis.
IC1(SS) Virgil Alexander Wright, III.
TM1(SS) Donald Howard Yarbrough.
ETR2(SS) Clarence Otto Young, Jr.

Mr. PASTORE. On June 6, 1968, memorial services were conducted at the Norfolk Naval Base for these brave men. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the message of sympathy I sent on behalf of the Joint Committee on Atomic Energy to those gathered for the service and the prayers and eulogies given by those who conducted the service.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibit 1.)

Mr. PASTORE. Mr. President, I am sure all of my colleagues and the Nation

as a whole joined me and the others present at the memorial service in the expression of the deep sense of grief resulting from this loss and the heartfelt sympathy we feel for the families of these brave men. I sadly recall standing in this Chamber 5 year ago—on April 22, 1963—expressing my grief over the loss of the first nuclear submarine of our Navy, the U.S.S. *Thresher*, SSN-593. I repeat my statement on that occasion:

The submarine, however, can be replaced. What can't be replaced are the lives of these Americans. These men are irreplaceable.

Immediately upon learning that *Scorpion* was overdue in returning from her important mission I, as chairman of the Joint Committee on Atomic Energy, dispatched a very competent member of the committee staff, Capt. Frank Costagliola, U.S. Navy, to participate in both the search operations and the proceeding of the Navy's Board of Inquiry as an official observer representative of the committee. We want to be assured, as we did in the case of the *Thresher*, that everything possible is done to profit by whatever is learned from this tragedy to preclude a recurrence. I can assure you we will give this matter priority attention.

EXHIBIT 1

JOINT COMMITTEE ON ATOMIC ENERGY,
Congress of the United States,
June 6, 1968.

COMMANDER OF SUBMARINE FORCES,
U.S. Atlantic Fleet,
Norfolk, Va.:

The Joint Committee on Atomic Energy joins in thought those gathered today at the Norfolk Naval Station to honor the brave men who were lost in the *Scorpion* and to convey our heartfelt sympathy to the families and friends of these brave men who bear the great personal burden of this tragedy. In sympathy and sorrow we join all of those gathered today in offering our prayer: to Almighty God to grant eternal rest to the heroes in the *Scorpion* who have given their lives in the service of the Nation and the free world.

JOHN O. PASTORE,
Chairman.

INVOCATION AT MEMORIAL SERVICE FOR U.S.S. "SCORPION" SSN-589, DAVID ADAMS MEMORIAL CHAPEL, NAVAL STATION, NORFOLK, VA., JUNE 6, 1968

(By Capt. J. E. Reaves, Fleet Chaplain,
U.S. Atlantic Fleet)

Almighty God, our Father, from whom we come, and unto whom our spirits return: Thou has been our dwelling place in all generations. Thou art our refuge and strength, a very present help in trouble. Grant us thy blessing in this hour, and enable us so to put our trust in Thee that our spirits may grow calm and our hearts be comforted. Lift our eyes beyond the shadows of earth, and help us to see the light of eternity. So may we find grace and strength for this and every time of need; through Jesus Christ our Lord. Amen.

OPENING SENTENCES

(By Capt. J. E. Reaves, fleet chaplain, U.S. Atlantic Fleet)

John 11:25-26: "Jesus said, 'I am the resurrection and the life; he who believes in me, though he die, yet shall he live, and whoever lives and believes in me shall never die.'"

Deuteronomy 33:27a: "The eternal God is your dwelling place, and underneath are the everlasting arms."

Psalms 27:1: "The Lord is my light and my salvation; whom shall I fear? The Lord is

the stronghold of my life; of whom shall I be afraid?"

Psalms 28:6-7a: "Blessed be the Lord! for he has heard the voice of my supplications. The Lord is my strength and my shield; in him my heart trusts."

"II Corinthians 5:1: 'For we know that if the earthly tent we live in is destroyed, we have a building from God, a house not made with hands, eternal in the heavens.'"

OLD TESTAMENT LESSON

(By Lt. Comdr. P. L. Toland, staff chaplain,
Submarine Flotilla 6)

Psalms 130: "Out of the depths have I cried unto thee, O Lord,

"Lord, hear my voice: let thine ears be attentive to the voice of my supplications.

"If thou, Lord, shouldst mark iniquities, O Lord, who shall stand?

"But there is forgiveness with thee, that thou mayest be feared.

"I wait for the Lord, my soul doth wait, and in his word do I hope.

"My soul waiteth for the Lord more than they that watch for the morning.

"Let Israel hope in the Lord: for the Lord there is mercy, and with him is plenteous redemption.

"And he shall redeem Israel from all his iniquities."

Psalms 23: "The Lord is my shepherd; I shall not want.

"He maketh me to lie down in green pastures: he leadeth me beside the still waters.

"He restoreth my soul: he leadeth me in the paths of righteousness for his name's sake.

"Yea, though I walk through the valley of the shadow of death, I will fear no evil: for thou art with me; thy rod and thy staff they comfort me.

"Thou preparest a table before me in the presence of mine enemies: thou anointest my head with oil; my cup runneth over.

"Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the Lord for ever."

NEW TESTAMENT LESSON

(By Capt. David M. Humphreys, Senior Chaplain,
Naval Station, Norfolk, Va.)

The Gospel of John, 14:1-3: "You must not let yourselves be distressed—you must hold on to your faith in God and to your faith in me. There are many rooms in my Father's House. If there were not, should I have told you that I am going away to prepare a place for you? It is true that I am going away to prepare a place for you, but it is just as true that I am coming again to welcome you into my own home, so that you may be where I am."

The Second Letter to Corinth, 4:7-5:11: "This priceless treasure we hold, so to speak, in a common earthenware jar—to show that the splendid power of it belongs to God and not to us. We are handicapped on all sides, but we are never frustrated; we are puzzled, but never in despair. We are persecuted, but we never have to stand it alone: we may be knocked down but we are never knocked out! Every day we experience something of the death of the Lord Jesus, so that we may also know the power of the life of Jesus in these bodies of ours. We are always facing death, but this means that you know more and more of life. Our faith is like that mentioned in the scripture:

"I believe and therefore did I speak."

"For we too speak because we believe, and we know for certain that he who raised the Lord Jesus from death shall also by him raise us. We shall all stand together before him.

"We know, for instance, that if our earthly dwelling were taken down, like a tent, we have a permanent house in Heaven, made, not by man, but by God. In this present frame we sigh with deep longing for the Heavenly house, for we do not want to face utter naked-

ness when death destroys our present dwelling—these bodies of ours. As long as we are clothed in this temporary dwelling we have a painful longing, not because we want just to get rid of these 'clothes' but because we want to know the full cover of the permanent house that will be ours. We want our transitory life to be absorbed into the life that is eternal.

"Now the power that has planned this experience for us is God, and he has given us his spirit as a guarantee of its truth. This makes us confident, whatever happens. We realize that being 'at home' in the body means that to some extent we are 'away' from the Lord, for we have to live by trusting him without seeing him. We are so sure of this that we would really rather be 'away' from the body and be 'at home' with the Lord.

"It is our aim, therefore, to please him, whether we are 'at home' or 'away.' For every one of us will have to stand without pretense before Christ our judge, and we shall be rewarded for what we did when we lived in our bodies, whether it was good or bad."

The First Letter to Thessalonica, 4:13-5:1: "Now we don't want you, my brothers, to be in any doubt about those who 'fall asleep' in death, or to grieve over them like men who have no hope. After all, if we believe that Jesus died and rose again from death, then we can believe that God will just as surely bring with Jesus all who are 'asleep' in him. Here we have a definite message from the Lord."

MEMORIAL MEDITATION FOR THE OFFICERS AND MEN OF U.S.S. "SCORPION," LOST AT SEA, JUNE 6, 1968

(By Rear Adm. James W. Kelly, chief of chaplains)

Admiral Holmes, Admiral Schade, fellow chaplains, beloved families of *Scorpion's* officers and men, shipmates and friends. The occasion which draws us together here this afternoon is a sad and solemn one. With heavy hearts we are assembled here to share, in a special way, the grief and heartbreak of the bereaved families of ninety-nine officers and men of the United States Navy, lost at sea. We are here to recall to present memory the service and the sacrifice by which the young men of *Scorpion* further ennobled the honored traditions of men of all ages who have gone down to the sea in ships, and brought new brilliance to the highest traditions of the naval service.

Because we were shipmates and friends of the gallant men we honor, and because the sorrow and grief you, their beloved families feel, we feel also, there is a stirring, a longing within our souls.

We long to help absorb the impact of your great loss.

We long to pay our highest and most sacred tribute to your precious sons and brothers, husbands and fathers.

We long to rededicate ourselves to the high and the good, the noble and the godly, the patriotic and the heroic aspirations given richer meaning by their lives.

The writers of our Holy Scripture were not seafaring men. They were landmen who looked at the empty, moving face of the sea and felt the vastness and mystery of creation. The second verse of Genesis mentions "the face of the deep." In Luke, Jesus instructed the disciples to cast their nets into the deep. From beginning to end, the Bible frequently refers to the sea as the deep. A safe, surface voyage was a deliverance from the deep.

The deep was a figure of speech for that which was unknown and unexplorable. For those whom we memorialize today, the deep was not a figure of speech. They literally went down into the sea, down, down into the sea, with skill and confidence. In a relatively unexplored environment, magnificent men and highly developed boats provide one

of the great defensive weapon systems of our day. Truly these men are peacemakers, effective deterrents of war, because of their mobility while hidden in the depths. And Christ said, "Blessed are the peacemakers."

For the ninety and nine whom we mourn today, there has been no visible deliverance from the deep. Brave wives, brave parents and brave children of brave men cry in anguish. The separation of deployment has lengthened into the separation of death.

Devout women and men have devoutly prayed, yet God does not raise from the depths of the sea ships that have been sunk. But God will not leave his people comfortless. He will teach us again the truths by which we live. He will give us faith to rebuild, and such an attitude to one another that what we build shall endure. If we will but cry to the Lord in our trouble, he will deliver us from our distress—not as we had hoped or expected, but according to His great love and His everlasting mercy.

You have already suffered much. Maybe it will help for you to realize that we see your loved one's sacrifice, as your sacrifice too. No man is an island. No man's strengths are fashioned solely from his own resources. Brave and noble men emulate the images of brave and noble fathers and mothers, brothers and sisters, wives and loved ones. A blend of wholesome example, religious faith, discipline and love pour forth from devoted families to make a man what he is. They have a share in his greatness. And so too do you share heavily in the service and the sacrifice of your loved ones. It is true that any "man's death diminishes us because we are involved in mankind." How much more are you diminished by the loss of a son or husband in whom you have invested so much of yourselves. The contributions of these honored ones are your contributions, and we are eternally in your debt.

There is mystery in death. There is mystery in the sea. Both are in some degree incomprehensible and unfathomable. Timid men may fear to approach any mystery. There is greater safety in the known. But someone must probe the mystery of the sea even at the price of probing the mystery of death.

Such is the heroic mold into which the ninety and nine were cast. They made no claim of heroism. They developed their skills and their teamwork, their friendship and that community called a crew. With pride in service, pride in boat, pride in crew, they faced the mystery of the deep and the business of the pursuit of peace in great waters. Who dares say they failed? Far better, they probe a deeper mystery.

I feel it my solemn responsibility, on such occasions as this, time and again to restate a fundamental fact of the American seaman's life. The supreme sacrifice, when he is called upon to make it, represents a two-fold investment: In political principle, yes; but also in eternal truth. It is our faith that ours is a Nation under God. Our lives in our country's service have ultimate, divine implications. In a very real sense each dedicated life is guided and given instruction by the helmsman of the heavens. Longfellow wrote:

"'Wouldst thou', so the helmsman answered,
'Know the secret of the sea?'
Only those who brave its dangers,
Comprehend its mystery."

When we appreciate the ultimate implications of the final sacrifice of those we honor here, our bereavement becomes more bearable, our rededication becomes more resolute, our memorial becomes more meaningful.

The more we explore the mystery of the sea, the more we discover promise, predictability and richness. The latent energy, the unharvested foodstuff, the unmined ore startle the imagination. There is no visible boundary to its promised power.

The personal power of our lost, loved ones cannot be imprisoned within the hull of

Scorpion nor contained within the depths of the ocean. Resurrection power exceeds death power. Resurrection power is victorious over death and knows not end but eternity.

God's miracle at the Red Sea convinced the ancient Jews that he exercised dominion over the sea and all its mystery. They knew little about the mystery of the sea but much about the mystery of death and even more about the mystery of God's concern for them. The writers of the New Testament had witnessed death's temporary victory at Calvary. They were as lost and despondent as you may feel today. But Calvary and death were not the end and never are. Resurrection power was not argued. For the Christian it was demonstrated in the event of Easter.

There is great promise in the mystery of the sea. There is greater promise in the mystery of death.

But what of memorials? What then is our best memorial? Is it an empty tomb, a stone, a plaque, a monument? These are all impressive. I can look out of my office window and see the Washington Monument, the Lincoln Memorial. I can see Arlington Cemetery just across the street, and its long rows of white stones with a cross or star of David inscribed upon them. These are impressive. But the greatest memorial of all is the one your sons and husbands of *Scorpion* themselves erected. By their service, by their sacrifice they inscribed forever upon our hearts and lives an example of selfless devotion to family, to God and country which will serve always to inspire and challenge us. By seeking to cherish, treasure, and live up to the challenge of their example we will do them appropriate honor and with them create a timeless, living memorial.

May I say this one last personal word. We, the shipmates and friends of your loved ones lost at sea, offer you such strength as we may have in this hour of need. Chaplains and other representatives of the Navy have communicated our concern and support already. I feel the need only to confirm what they have said so well. We offer you such condolence and comfort as we are capable of giving. And we pledge to you that, in partnership with God, who will provide for your loved ones' fulfillment in another world and another life, we here will continue their search for truth, their concern for human liberty, their desire for growing usefulness, and will carry on in the splendid example of selfless service which they set for us. You will remain in our prayers. We pray that God will grant you understanding and peace and the blessing of limitless new resources with which to build a satisfying future.

THE PRAYERS

(By Lt. Comdr. C. L. Seaton, staff chaplain, Submarine Squadron 6)

Almighty God, whose name has always meant strength and redemption, who rules the expanses of the heavens and of the sea, and who has the tenderness and the mercy to heal the broken spirit—hear us now, O God, as we Thy children bow before Thee.

Grant, O Father, that those from among us who have departed may even now wear the crown of life, and that they may be with Thee, and that they may enjoy Thy presence forever. Help us to prize highly and guard carefully those values in which they believed, and for which they lived. Never permit us to forget these men, nor to do aught in this world that would diminish the sacredness of their memory.

O God, Thou who has promised us that you are with us always, enter in a special way into the homes and into the lives of those who mourn. Leave them not without comfort. Fill them with your consolation. Support them with your everlasting arms. Shelter them in the pavilion of your love. Speak to

them of things eternal. And bring them with triumph through this hour of sorrow.

And grant to all of us full and complete confidence that neither life nor death shall be able to separate us from the hand of the great God who loves us. Amen.

DR. GODDARD'S RESIGNATION A LOSS TO AMERICAN CONSUMERS

Mr. NELSON. Mr. President, a lot has happened at the Food and Drug Administration since 1966 because of the leadership generated by Dr. James L. Goddard. For the past 2 years, Dr. Goddard has effectively implemented many new and imaginative proposals, while also vigorously administering the on-going programs of this important agency. Because of Dr. Goddard's efforts it can no longer be said that FDA is the sleepy agency it once was. Rather it is an objective and aggressive guardian of the public interest.

Creative administration has brought this about and Dr. Goddard deserves the praise that has been echoed during the past few weeks in response to the news that he has proffered his resignation effective July 1.

Recently, the Milwaukee Journal joined in applauding Dr. Goddard's efforts. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GODDARD A LOSS

In his two years as commissioner of the food and drug administration, Dr. James L. Goddard often put himself in the storm center of controversy. He poured vitality and ideas into a rather lackluster agency with a reputation for excessive chumminess with the industries it was supposed to regulate. He gave it a new image—friend to the consumer.

A man of quick and caustic tongue, Goddard moved in where predecessors feared to tread. If he didn't accomplish miracles, he did shake things up and start some rusty bureaucratic wheels turning. He substantially speeded up FDA's creaky processing of applications to market drugs. He seized drugs from the market after questioning the accuracy of advertised claims. He needed the industry with allegations of inadequate research and excessive promotion costs. He accelerated review of the effectiveness of thousands of drugs already on the market.

In doing these things, Goddard managed to step on a goodly number of well connected toes, a fact that touched off repeated uproars. He also made mistakes, relying sometimes on misinformation or incomplete data. Some of his public statements were poorly phrased or downright tactless. Yet he managed to add drive and direction to an agency deficient in both.

Goddard's resignation, effective July 1, leaves unfinished many of the reforms he began. A first class successor needs to be found, another man of vigor and independent mind who isn't afraid of the heat and is willing to pick up the burden where Goddard left it. Having been awakened from its torpor, the FDA should not be permitted to fall asleep again at the controls.

LAWMAKERS FAIL TO ENDORSE IMPORTANT STEP TOWARD INTERNATIONAL RULE OF LAW

Mr. PROXMIER. Mr. President, there is without exception, not a single deliberative body now existing or in the history

of the world that investigates, debates, discusses, and provides advice and consent on more momentous matters involving international relations than the Senate of the United States.

I say this even though the United Nations provides a forum of expression for most of the world's nations. However, the U.N.'s debate is neither as free-ranging nor as diverse as that of the U.S. Senate. Also, the Senate's function of advice and consent represents a more actively substantial function than any enjoyed by the United Nations. Furthermore, since the United States is the world's most powerful leader, it is a corollary that the deliberations and decisions of the Senate have an impact throughout the world.

However, that impact of leadership and the prudent, always influential exercise of the power of advice and consent residing in the Senate have been conspicuous—by their absence. That leadership and power have been in abeyance—existing, as far as the unratified human rights conventions are concerned, "Through the Looking Glass," where a strange reversal ever takes place. Here the reversal tries to make abdication of leadership responsibility appear as high and prudent virtue, as zeal for protecting the Constitution. But what a tragic reversal. I am sure that if Lewis Carroll were alive today he would be bemused by the reversal device, but would look with shock at its consequences.

What are the consequences? They begin with the fact that our failure to ratify these conventions effectively halts world progress toward ever greater respect for the sacred person of every man.

Further, our failure to endorse these expressions of world human rights is having and will continue to have horrible real-life effects throughout those sad parts of the world where man still practices revolting inhuman practices toward his fellow man. This inaction is not simply something that concerns international lawyers, judges sitting at The Hague, and others whose interest is academic; this inaction is affecting the lives of many of our fellow men whose state is actually worse than animals—men are aware of their degradation. This involves people, not just pieces of paper. This inaction delays the day when all men everywhere will be truly free. This inaction delays the day when all men everywhere will be truly human in the highest sense of that word.

Let the Senate ratify these treaties. Let the Senate no longer appear throughout the world as the silent protector of inhuman mass exploitation of humanity. These are harsh and difficult words to say, Mr. President, but lives are at stake—the dignity of men suffering is at stake. Indeed our own dignity is at stake.

Wise law is the highest expression of any civilization as it embodies in a practical way the fundamental principles upon which that civilization rests. America, from its founding, has legislated in a way that goes far beyond the conventions now before the Senate. Let us act now and declare to the world that we believe in these basic human rights not only for ourselves but for all men. Let us endorse the further perfecting of the

international rule of law upon which ultimately depends the survival of mankind.

ROBERT KENNEDY, A MAN NEEDED BY HIS TIMES

Mr. MURPHY. Mr. President, our personal tributes here in the Senate to the late Robert F. Kennedy, although deeply heartfelt, can, by their very nature, be little more than inarticulate echoes of the national grief.

The broader eulogy, in which we share, is mainly being written elsewhere—in tear-filled eyes, on praying lips, and in the footsteps of the tens of thousands of mourners filing past a new grave in Arlington National Cemetery.

At the same time, there is another aspect to our common emotion for although we are joined in sorrow, we cannot help thinking of the enormous spirit of joyful vitality which he inspired and which, despite his death, will live on.

As the personification of this spirit, Robert Kennedy was a man particularly needed by his times.

Misery, suffering, and injustice threaten to overwhelm us.

War and poverty are our constant attendants.

It is hard to smile.

Like all of us, Robert Kennedy experienced great anguish as a result of the trouble and turmoil burdening the family of man and he worked constantly for improvement.

He did not forget, however, that the Almighty has given mankind a potential for happiness, and consequently there could always be found in the actions of Robert Kennedy a dedication to the principle that life is, indeed, worth living.

Where there was apathy, he left involvement.

Where there was despair, he inspired hope.

This, then, is his major legacy.

Call it inspiration.

Call it excitement.

Call it enjoyment, if you will, for this, too, in the most wholesome meaning of the word, was a vital part of the life that Robert Kennedy shared with all of us.

Many tears have been shed in his memory.

We shall honor him most by working for those goals which will make it easier for men to smile.

A PROGRESS REPORT ON CUNA-AID PROGRAMS

Mr. NELSON. Mr. President, in 1962, CUNA International, Inc., working with the Agency for International Development, embarked on a new imaginative program of assistance to underdeveloped nations in Latin America. This effort was expanded in 1965 to include aid to several African countries, and, to date, 15 countries are participating in this joint CUNA AID effort.

In 1967, CUNA International, Inc., forged ahead and achieved remarkable success in its self-help programs. Briefly, they have done three things: mobilized new local capital; provided desperately

needed capital and credit; developed the human resources and democratic institutions to foster greater economic expansion.

Certainly, CUNA deserves commendation and praise for their fine efforts.

Recently, Mr. J. Orrin Shipe, managing director, wrote to me explaining CUNA's role in improving the living conditions of some of our underdeveloped neighbors. This letter is most interesting and deserves your attention. Accordingly, I ask unanimous consent that it be reprinted in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CUNA INTERNATIONAL, INC.,
May 24, 1968.

DEAR SENATOR NELSON: Under Title IX of the Foreign Assistance Act, CUNA International has a contract with the Agency for International Development (AID) to provide technical assistance for the development of credit unions in twelve Latin American and three African countries.

The enclosed report will tell you we are proud of our progress in helping thousands of poor families achieve greater financial independence and security through the establishment of credit unions in their countries. Although CUNA International has had its own privately financed world extension program in existence since 1953, we believe our contracts with the Agency for International Development have enabled us to bring credit union benefits to thousands of needy families long before it would otherwise have been possible.

Credit Unions can and are playing a vital role in the economic, political and social development of the world's developing countries. Economically, they help develop a new base of capital through which their members can become more productive citizens and through which they help their country's economy become more stable. Politically, they help teach democracy at the grass-roots level by practicing the worldwide credit union philosophy of one-member, one-vote, and by enabling thousands of persons to cast a ballot for the first time in their lives. Socially, they provide their members with the first opportunity to stand on their own legs and, thus, achieve more human dignity.

Every dollar spent in a CUNA/AID contract has generated about twenty dollars of new savings. Savings in these fifteen countries now total nearly fifty million dollars. Equally important, these savings have been turned over in loans so often that more than one hundred forty million dollars in cumulative productive loans have been made and repaid since the CUNA/AID program. These loans have been made for food production, housing, education, to start small businesses, and for other vital purposes. Most of these loans were made to people never previously reached by loans from any legitimate source. Except for the credit union, the loans could not have been made.

I hope you will take a few minutes of your time to review the enclosed progress report and familiarize yourself with the important and unique role credit unions have in our foreign assistance program. Credit unions reach the people who need help most. They teach them to help themselves. They teach them to believe in themselves and, possibly more important, to believe in their fellow man. We sincerely hope we can continue and, if possible, expand our efforts to export this simple but workable idea to those countries and people who so badly need it.

Sincerely,

J. ORRIN SHIPE,
Managing Director.

PRESIDENT JOHNSON'S NEW COMMISSION CAN HELP LEAD AMERICA AWAY FROM VIOLENCE

Mr. YOUNG of Ohio. Mr. President, in the midst of national tragedy and sadness over the assassination of Senator Robert F. Kennedy, President Johnson established a National Commission on the Causes and Prevention of Violence to try to explain the violence which is pervading our society and to suggest means of eradicating this scourge. The members of the Commission are Dr. Milton Eisenhower, Chairman; Congressman HALE BOGGS, Archbishop Terence J. Cooke, Ambassador Patricia Harris, Senator PHILIP A. HART, Judge A. Leon Higginbotham, Eric Hoffer, Senator ROMAN HRUSKA, Albert E. Jenner, Jr., Representative WILLIAM M. McCULLOCH.

It is obvious that the new Commission, composed of this distinguished group of Americans, is designed not to present a narrow or partisan point of view, but to take a broad look at the entire spectrum of violence in our national life. President Johnson is to be commended for placing this study of violence in a framework of objectivity, with a determination to end this growing danger to our democratic way of life.

The President met with the Commission at its initial meeting on Monday. His charge to them was brief, but comprehensive:

I ask you to undertake a penetrating search for the causes and prevention of violence—a search into our national life, our past as well as our present, our traditions as well as our institutions, our culture, our customs and our laws.

Every American will rally in support of the new Commission. The threat of violence to the lives and well-being of public officials and public leaders is accompanied by an equally dangerous threat to the existence of all democratic institutions. If the day ever comes when good people are inhibited from speaking out on national issues and engaging in public life because of the dangers of physical harm, then America is in trouble. The forthright action by the President in establishing the new Commission is aimed at seeing to it that such a day never comes.

STUDENT AMERICAN MEDICAL ASSOCIATION FAVORS A DRUG COMPENDIUM AND BETTER DRUG PRICE INFORMATION

Mr. NELSON. Mr. President, a few days ago I received a communication from C. Clement Lucas, Jr., president of the Student American Medical Association. He wrote me that the 1968 house of delegates, during its 18th annual meeting, had taken positive action by passing a resolution which backs important and progressive steps in the drug field.

This viable group of medical students has watched events unfold during the past year which have pointed out astonishing shortcomings in the manufacture and sale of prescription drugs.

These young people have recognized that the simple acts of publishing a drug

compendium, with full drug information, and fuller disclosure of drug prices by pharmaceutical companies is a necessary adjunct to the proper practice of medicine.

My first bill to establish a compendium was introduced in January 1967, and after revision, was introduced again a year later.

The issue of drug prices has been the subject of dozens of Monopoly Subcommittee hearings. I am happy this group has recognized that price competition is lacking in prescription drugs and that newer methods have to be sought out to correct this deficiency.

I find it hopeful that the doctors of tomorrow recognize the shortcomings of today. For on tomorrow's generations do we build today's hopes.

Hopefully, the leaders of today's medical teams will pay proper heed to the admonitions of their juniors—soon to be their peers.

I ask unanimous consent that the letter and resolution sent to me by Mr. Lucas be inserted in the RECORD.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

STUDENT AMERICAN
MEDICAL ASSOCIATION

Flossmoor, Ill., June 7, 1968.

Re Resolution 11A to the Senate Committee on Small Business and Subcommittee on Monopoly.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: I am happy to forward a copy of a resolution, which may be of interest, as passed by the 1968 House of Delegates of the Student American Medical Association during its 18th Annual Meeting held in Detroit, April 24-27.

The officers and members of the House would be appreciative of your comments with respect to these actions so our work in the future can be benefited from the thinking of the members of your organization.

Thank you for the opportunity to forward the enclosed resolution and should you desire the complete proceedings, which will be available later this year, please direct your request to the Executive Office at the address listed above.

Respectfully submitted,

C. CLEMENT LUCAS, Jr.,

President.

Enclosure.

SAMA RESOLUTION 11A—DRUG PRICES

Whereas there is no widely distributed retail price list of drugs now on the market; and

Whereas busy doctors now often choose between trade name drugs without benefit of readily available information on relative drug prices; and

Whereas discrimination between trade name drugs without consideration of relative price promotes wide variation in those prices due to lack of price competition among drug companies; and

Whereas current legislation is pending (H.R. 15759) which calls for a drug compendium to be formulated by the Department of HEW to be distributed to hospitals, physicians and others who have use for such information; therefore be it

Resolved, That SAMA strongly recommends that the pharmaceutical companies include a suggested retail price in all their drug advertisements; and be it further

Resolved, That SAMA recommends that

the mention of problems involved in drug costs be made in pharmacology courses; and, be it further

Resolved, That copies of this resolution be sent to the HEW Task Force, FDA, the Senate Committee on Small Business, Subcommittee on Monopoly, the AMA, NMA, PMA, MOHR, AHMC and the NPC.

THE \$600 INDIVIDUAL INCOME TAX EXEMPTION IS OBSOLETE

Mr. HARTKE. Mr. President, I would like to extend to Representative EDWARD ROYBAL my sincere congratulations for recently introducing H.R. 16398, a measure designed to increase from \$600 to \$1,200 the personal income tax exemptions for individual taxpayers.

Some time ago I introduced a measure along the same lines, calling for the deduction to be raised from \$600 to \$1,000. At that time, I stated that the present \$600 deduction is unreal and obsolete for its purpose. I also stated that since that figure was adopted, the cost of living has increased by 40 percent. To expect the American taxpayer to provide the basic minimum necessities of life for himself, his wife, and his children with the present \$600 deduction is unrealistic and antiquated as crossing the Atlantic Ocean in a sailing vessel.

Again I commend Representative ROYBAL for his efforts on behalf of all the taxpaying citizens of this Nation, and I hope other Members of Congress will join us in achieving our goal of increasing the deduction to at least \$1,000.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

EXECUTIVE SESSION—INTERNATIONAL GRAINS ARRANGEMENT OF 1967, EXECUTIVE A, 90TH CONGRESS, SECOND SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider Calendar No. 8, Executive A, 90th Congress, second session.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider Executive A, 90th Congress, second session, which was read the second time, as follows:

EXECUTIVE A INTERNATIONAL GRAINS ARRANGEMENT, 1967

PREAMBLE

The signatories to this Arrangement,

Considering that the International Wheat Agreement of 1949 was revised, renewed or extended in 1953, 1956, 1959, 1962, 1965, 1966 and 1967,

Considering that the substantive economic provisions of the International Wheat Agreement of 1962 expired on 31 July 1967, that the administrative provisions of the same Agreement expire on 31 July 1968 or on an earlier date to be decided by the International Wheat Council and that it is desirable to conclude an Arrangement for a new period.

Considering that the Governments of Argentina, Australia, Canada, Denmark, Fin-

land, Japan, Norway, Sweden, Switzerland, the United Kingdom, the United States of America, and the European Economic Community and its Member States agreed on 30 June 1967 to negotiate an Arrangement on Grains, on as wide a basis as possible, that would contain provisions on wheat trade and food aid, to work diligently for the early conclusion of the negotiation and upon completion of the negotiation to seek acceptance of the Arrangement in conformity with their constitutional and institutional procedures as rapidly as possible.

Considering that these Governments and the European Economic Community and its Member States, in accordance with these prior mutual commitments, shall sign both the Wheat Trade Convention and the Food Aid Convention and that other Governments should have the possibility of joining either one of the Conventions or of joining both Conventions.

Have agreed that this International Grains Arrangement 1967 shall consist of two legal instruments, on the one hand a Wheat Trade Convention, and on the other hand a Food Aid Convention, and that each of these two Conventions, or either of them as appropriate, shall be submitted for signature and ratification, acceptance or approval in conformity with their respective constitutional or institutional procedures, by the Governments concerned and the European Economic Community and its Member States.

WHEAT TRADE CONVENTION

PART I—GENERAL

ARTICLE 1

Objectives

The objectives of this Convention are:

(a) To assure supplies of wheat and wheat flour to importing countries and markets for wheat and wheat flour to exporting countries at equitable and stable prices;

(b) To promote the expansion of the international trade in wheat and wheat flour and to secure the freest possible flow of this trade in the interests of both exporting and importing countries, and thus contribute to the development of countries, the economies of which depend on commercial sales of wheat; and

(c) In general to further international cooperation in connection with world wheat problems, recognizing the relationship of the trade in wheat to the economic stability of markets for other agricultural products.

ARTICLE 2

Definitions

(1) For the purpose of this Convention:

(a) "Balance of commitment" means the amount of wheat which an exporting country is obliged to make available at not greater than the maximum price under Article 5, that is, the amount by which its datum quantity with respect to importing countries exceeds the actual commercial purchases from it by those countries in the crop year at the relevant time;

(b) "Balance of entitlement" means the amount of wheat which an importing country is entitled to purchase at not greater than the maximum price under Article 5, that is, the amount by which its datum quantity with respect to the exporting country or countries concerned, as the context requires, exceeds its actual commercial purchases from those countries in the crop year at the relevant time;

(c) "Bushel" means in the case of wheat sixty pounds avoirdupois or 27.2155 kilogrammes;

(d) "Carrying charges" means the costs incurred for storage, interest and insurance in holding wheat;

(e) "Certified seed wheat" means wheat which has been officially certified according to the custom of the country of origin and which conforms to recognized specification standards for seed wheat in that country;

(f) "c. & f." means cost and freight;

(g) "Council" means the International Wheat Council established by the International Wheat Agreement, 1949 and continued in being by Article 25;

(h) "Country" includes the European Economic Community;

(i) "Crop year" means the period from 1 July to 30 June;

(j) "Datum quantity" means:

(1) In the case of an exporting country the average annual commercial purchases from that country by importing countries as established under Article 15;

(ii) In the case of an importing country the average annual commercial purchases from exporting countries or from a particular exporting country, as the context requires, as established under Article 15; and includes, where applicable, any adjustment made under paragraph (1) of Article 15;

(k) "Denatured wheat" means wheat which has been denatured so as to render it unfit for human consumption;

(l) "Executive Committee" means the Committee established under Article 30;

(m) "Exporting country" means, as the context requires, either:

(i) the Government of a country listed in Annex A which has ratified, accepted, approved or acceded to this Convention and has not withdrawn therefrom; or

(ii) that country itself and the territories in respect of which the rights and obligations of its Government under this Convention apply;

(n) "f.a.q." means fair average quality;

(o) "f.o.b." means free on board;

(p) "Grains" means wheat, rye, barley, oats, maize and sorghum;

(q) "Importing country" means, as the context requires, either:

(i) the Government of a country listed in Annex B which has ratified, accepted, approved or acceded to this Convention and has not withdrawn therefrom; or

(ii) that country itself and the territories in respect of which the rights and obligations of its Government under this Convention apply;

(r) "Marketing costs" means all usual charges incurred in marketing, chartering and forwarding;

(s) "Maximum price" means the maximum prices specified in or determined under Article 6 or 7 or one of those prices, as the context requires;

(t) "Maximum price declaration" means a declaration made in accordance with Article 9;

(u) "Member country" means:

(i) the Government of a country which has ratified, accepted, approved or acceded to this Convention and has not withdrawn therefrom; or

(ii) that country itself and the territories in respect of which the rights and obligations of its Government under this Convention apply;

(v) "Metric tons", or 1,000 kilogrammes, means in the case of wheat 36.74371 bushels;

(w) "Minimum price" means the minimum prices specified in or determined under Article 6 or 7 or one of those prices, as the context requires;

(x) "Price range" means prices between the minimum and maximum prices specified in or determined under Article 6 or 7 including the minimum prices but excluding the maximum prices;

(y) "Prices Review Committee" means the Committee established under Article 31;

(z) (i) "Purchase" means a purchase for import of wheat exported or to be exported from an exporting country or from other than an exporting country, as the case may be, or the quantity of such wheat so purchased, as the context requires;

(ii) "Sale" means a sale for export of wheat imported or to be imported by an im-

porting country or by other than an importing country, as the case may be, or the quantity of such wheat so sold, as the context requires;

(iii) Where reference is made in this Convention to a purchase or sale, it shall be understood to refer not only to purchases or sales concluded between the Governments concerned but also to purchases or sales concluded between private traders and to purchases or sales concluded between a private trader and the Government concerned. In this definition "Government" shall be deemed to include the Government of any territory in respect of which the rights and obligations of any Government ratifying, accepting, approving or acceding to this Convention apply under Article 42;

(aa) "Sub-Committee on Prices" means the Sub-Committee established under Article 31;

(bb) "Territory" in relation to an exporting or importing country includes any territory in respect of which the rights and obligations under this Convention of the Government of that country apply under Article 42;

(cc) "Wheat" includes wheat grain of any description, class, type, grade or quality and, except in Article 6 or where the context otherwise requires, wheat flour.

(2) All calculations of the wheat equivalent of purchases of wheat flour shall be made on the basis of the rate of extraction indicated by the contract between the buyer and the seller. If no such rate is indicated, seventy-two units by weight of wheat flour shall, for the purpose of such calculations, be deemed to be equivalent to one hundred units by weight of wheat grain unless the Council decides otherwise.

ARTICLE 3

Commercial purchases and special transactions

(1) A commercial purchase for the purposes of this Convention is a purchase as defined in Article 2 which conforms to the usual commercial practices in international trade and which does not include those transactions referred to in paragraph (2) of this Article.

(2) A special transaction for the purposes of this Convention is one which, whether or not within the price range, includes features introduced by the Government of a country concerned which do not conform with usual commercial practices. Special transactions include the following:

(a) Sales on credit in which, as a result of government intervention, the interest rate, period of payment, or other related terms do not conform with the commercial rates, periods or terms prevailing in the world market;

(b) Sales in which the funds for the purchase of wheat are obtained under a loan from the Government of the exporting country tied to the purchase of wheat;

(c) Sales for currency of the importing country which is not transferable or convertible into currency or goods for use in the exporting country;

(d) Sales under trade agreements with special payments arrangements which include clearing accounts for settling credit balances bilaterally through the exchange of goods, except where the exporting country and the importing country concerned agree that the sale shall be regarded as commercial;

(e) Barter transactions

(1) which result from the intervention of governments where wheat is exchanged at other than prevailing world prices, or

(ii) which involve sponsorship under a government purchase programme, except where the purchase of wheat results from a barter transaction in which the country of final destination was not named in the original barter contract;

(f) A gift of wheat or a purchase of wheat

out of a monetary grant by the exporting country made for that specific purpose;

(g) Any other categories of transactions that include features introduced by the Government of a country concerned which do not conform with usual commercial practices, as the Council may prescribe.

(3) Any question raised by the Executive Secretary or by any exporting or importing country as to whether a transaction is a commercial purchase as defined in paragraph (1) of this Article or a special transaction as defined in paragraph (2) of this Article shall be decided by the Council.

PART II—COMMERCIAL

ARTICLE 4

Commercial purchases and supply commitments

(1) Each member country when exporting wheat undertakes to do so at prices consistent with the price range.

(2) Each member country importing wheat undertakes that the maximum possible share of its total commercial purchases of wheat in any crop year shall be purchased from member countries, except as provided in paragraph (4) below. This share shall be not less than a percentage established by the Council in agreement with the country concerned.

(3) Exporting countries undertake, in association with one another, that wheat from their countries shall be made available for purchase by importing countries in any crop year at prices consistent with the price range in quantities sufficient to satisfy on a regular and continuous basis the commercial requirements of those countries subject to the other provisions of this Convention.

(4) Under extraordinary circumstances a member country may be granted by the Council partial exemption from the commitment contained in paragraph (2) of this Article upon submission of satisfactory supporting evidence to the Council.

(5) Each member country when importing wheat from non-member countries undertakes to do so at prices consistent with the price range.

(6) Prices shall be regarded as consistent with the price range when wheat is being made available or when sales and purchases are taking place:

(a) at or above the maximum prices provided for in Article 6 when such actions are not in conflict with the provisions of Articles 5, 9 and 10, or

(b) at prices consistent with the minimum prices provided for in Article 6 or with the provisions concerning the role of minimum prices as set out in Article 8.

ARTICLE 5

Purchases at the maximum price

(1) If the Council makes a maximum price declaration in respect of an exporting country, that country shall make available for purchase by importing countries at not greater than the maximum price its balance of commitment towards those countries to the extent that the balance of entitlement of any importing country with respect to all exporting countries is not exceeded.

(2) If the Council makes a maximum price declaration in respect of all exporting countries, each importing country shall be entitled, while the declaration is in effect,

(a) to purchase from exporting countries at prices not greater than the maximum price its balance of entitlement with respect to all exporting countries; and

(b) to purchase wheat from any source without being regarded as committing any breach of paragraph (2) of Article 4.

(3) If the Council makes a maximum price declaration in respect of one or more exporting countries, but not all of them, each importing country shall be entitled while the declaration is in effect,

(a) to make purchases under paragraph (1) of this Article from such one or more ex-

porting countries and to purchase the balance of its commercial requirements within the price range from the other exporting countries, and

(b) to purchase wheat from any source without being regarded as committing any breach of paragraph (2) of Article 4 to the extent of its balance of entitlement with respect to such one or more exporting countries as at the effective date of the declaration, provided such balance is not larger than its balance of entitlement with respect to all exporting countries.

(4) Purchases by any importing country from an exporting country in excess of the balance of entitlement of that importing country with respect to all exporting countries shall not reduce the obligation of that exporting country under this Article. Any wheat purchased from an importing country by a second importing country which originated during that crop year from an exporting country shall be deemed to have been purchased from that exporting country by the second importing country provided the balance of entitlement of the second importing country with respect to all exporting countries is not thereby exceeded. Subject to the provisions of Article 19, the preceding sentence shall apply to wheat flour only if the wheat flour originated from the exporting country concerned.

(5) In determining whether it has fulfilled its required percentage under paragraph (2) of Article 4, purchases made by any importing country while a maximum price declaration is in effect, subject to the limitations in paragraphs (2)(b) and (3)(b) of this Article,

(a) shall be taken into account if those purchases were made from any member country, including an exporting country in respect of which the declaration was made, and

(b) shall be entirely disregarded if those purchases were made from a non-member country.

(6) Wheat made available in accordance with the provisions of this Article shall so far as practicable be of types and qualities that would enable the trade in that crop year between the two countries to conform to the usual pattern. Arrangements to give effect to this should be agreed upon as necessary between the countries concerned.

ARTICLE 6

Prices of wheat

(1) The Schedule of minimum and maximum prices, basis f.o.b. Gulf ports, is established for the duration of this Convention as follows:

[U.S. dollars per bushel]

	Minimum price	Maximum price
Canada:		
Manitoba No. 1.....	1.95½	2.35½
Manitoba No. 3.....	1.90	2.30
United States of America:		
Dark Northern Spring No. 1, 14 percent.....	1.83	2.23
Hard Red Winter No. 2 (ordinary).....	1.73	2.13
Western White No. 1.....	1.68	2.08
Soft Red Winter No. 1.....	1.60	2.00
Argentina: Plate.....	1.73	2.13
Australia: Fair average quality.....	1.68	2.08
European Economic Community:		
Standard.....	1.50	1.90
Sweden.....	1.50	1.90
Greece.....	1.50	1.90
Spain:		
Fine wheat.....	1.60	2.00
Common wheat.....	1.50	1.90

(2) The minimum prices and maximum prices for the specified Canadian and US wheats, f.o.b. Pacific north-west ports shall be 6 cents less than the prices in paragraph (1) of this Article.

(3) The minimum and maximum prices for Mexican wheat on sample or description f.o.b. Mexican Pacific ports or at the Mexican

border, whichever is applicable, shall be US dollars 1.55 and 1.95 per bushel respectively.

(4) The minimum prices under this Article may be adjusted in accordance with the provisions of Articles 8 and 31.

(5) The minimum price and maximum price for f.a.q. Australian wheat f.o.b. Australian ports shall be 5 cents below the price equivalent to the c. and f. price in United Kingdom ports of the minimum price and maximum price for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. Gulf ports, specified in paragraph (1) of this Article, computed by using currently prevailing transportation costs.

(6) The minimum prices and maximum prices for Argentine wheat f.o.b. Argentine ports, for destinations bordering the Pacific and Indian Oceans shall be the prices equivalent to the c. and f. prices in Yokohama of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. Pacific north-west ports, specified in paragraph (2) of this Article, computed by using currently prevailing transportation costs.

(7) The minimum prices and maximum prices for the specified US wheats, f.o.b. US Atlantic, Great Lakes and Canadian St. Lawrence ports, the specified Canadian wheats, f.o.b. Fort William/Port Arthur, St. Lawrence Argentine wheat, f.o.b. Argentine ports, for destinations other than those specified in paragraph (6) of this Article, shall be the prices equivalent to the c. and f. prices in Antwerp/Rotterdam of the minimum prices and maximum prices specified in paragraph (1) of this Article computed by using currently prevailing transportation costs.

(8) The minimum prices and maximum prices for the European Economic Community standard wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination, of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs (1) and (2) of this Article, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

(9) The minimum prices and maximum prices for Swedish wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination, of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs (1) and (2) of this Article, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

(10) The minimum prices and maximum prices for Greek wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination, of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs (1) and (2) of this Article, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

(11) The minimum prices and maximum prices for Spanish wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination, of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs (1) and (2) of this Article, computed by using currently pre-

vailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

(12) In relation to other wheats of countries referred to in paragraph (1) of this Article, the ways of computing minimum and maximum prices set out in paragraph (2) of the equivalents thereof set out in paragraphs (5) to (11) of this Article shall apply in the same way as they apply to the wheats referred to in those paragraphs.

(13) The Prices Review Committee may in consultation with the Sub-Committee on Prices:

(a) determine the equivalent minimum and maximum prices for wheats at points other than those referred to in paragraphs (1), (2) and (3) and paragraphs (5) to (11) of this Article, and

(b) specify, basis f.o.b. United States Gulf ports, minimum and maximum prices for any description, class, type, grade or quality of wheat other than those specified in paragraphs (1) and (3) of this Article, provided that the difference between the minimum and maximum prices so specified shall be 40 cents per bushel, and in the case of wheat of a country not mentioned in those paragraphs the Committee shall act in accordance with the preceding sub-paragraph if it has not already done so in respect of that wheat.

(14) In the case of any wheat for which minimum and maximum prices have not been specified, the minimum and maximum prices for the time being, basis f.o.b. United States Gulf Ports, shall be derived from the minimum and maximum prices of the description, class, type, grade or quality of wheat specified in paragraphs (1) and (3) or under paragraphs (13(b)) of this Article, which is most closely comparable to such wheat by the addition of an appropriate premium or by the deduction of an appropriate discount. Such premiums or discounts may be fixed and adjusted as necessary by the Prices Review Committee. The Prices Review Committee shall act in accordance with this paragraph at any meeting called under paragraphs (1), (3) or (6) of Article 9.

(15) No minimum or maximum price, basis f.o.b. United States Gulf ports, specified under the provisions of paragraph (13)(b) of this Article, shall respectively be higher than the minimum or maximum price for Manitoba Northern No. 1 wheat specified in paragraph (1) of this Article.

(16) The equivalent minimum and maximum prices referred to in paragraphs (5) to (11) of this Article shall be computed at regular intervals by the Secretariat of the Council with the assistance of the Sub-Committee on Prices, having regard to the costs of ocean transportation which reflect the current method of movement generally employed and on the most comparable basis between the ports concerned.

(17) For the purposes of comparing the price of any wheat quoted in other than United States currency with the minimum and maximum prices or the equivalent thereof computed in accordance with the provisions of this Article, that price shall be converted into United States currency at the prevailing rate of exchange. Any dispute as to the conversion of prices shall be decided by the Prices Review Committee.

(18) The minimum and maximum prices and the equivalents thereof shall exclude such carrying charges and marketing costs as may be agreed between the buyer and the seller, provided that carrying charges shall accrue for the buyer's account only after an agreed date specified in the contract under which the wheat is sold.

(19) Durum wheat and certified seed wheat shall be excluded from the provisions relating to maximum prices and denatured wheat from the provisions relating to minimum prices.

(20) Without prejudice to the operation of Article 8 if any member country represents

to the Prices Review Committee that any computation of an equivalent minimum or maximum price under the provisions of paragraphs (5) to (11) or paragraph (13) of this Article is, in the light of current transportation costs, no longer fair, that Committee shall consider the matter and may in consultation with the Sub-Committee on Prices make such adjustments as it considers desirable.

(21) All decisions of the Prices Review Committee under paragraphs (13), (14), (17) or (20) of this Article shall be binding on all member countries, provided that any member country which considers any such decision is disadvantageous to it may ask the Council to review that decision.

(22) Each country which has one or more wheats listed in this Article shall provide to the Council each crop year a copy of the current official specifications, standards or descriptions for those wheats where they exist. Upon request by the Secretariat, countries which export wheat shall provide to the Council the current official specifications, standards or descriptions of wheats, where they exist, not listed in this Article.

ARTICLE 7

Prices of wheat flour

(1) Commercial purchases of wheat flour will be deemed to be at prices consistent with the prices for wheat specified in or determined under Article 6, unless a statement to the contrary, with supporting information, is received by the Council from any member country, in which case the Council shall, with the assistance of any countries concerned, consider the matter and decide whether the price is so consistent.

(2) If one or more member countries deem that certain practices in the field of international trade have in certain cases distorted the consistency which must exist between the prices for flour and the prices for wheat, and consider that their interests have been seriously hurt by these practices, they may ask for consultations with the member country or member countries concerned.

(3) The Council may in co-operation with member countries carry out studies of the prices of wheat flour in relation to the prices of wheat.

ARTICLE 8

Role of minimum prices

The purpose of the schedule of minimum prices is to contribute to market stability by making it possible to determine when the level of market prices for any wheat is at or approaching the minimum of the range. Since price relationships between types and qualities of wheat fluctuate with competitive circumstances, provision is made for review of and adjustments in minimum prices.

(1) If the Secretariat of the Council in the course of its continuous review of market conditions is of the opinion that a situation has arisen, or threatens imminently to arise, which appears to jeopardize the objectives of this Convention with regard to the minimum price provisions, or if such a situation is called to the attention of the Secretariat of the Council by any member country, the Executive Secretary shall convene a meeting of the Prices Review Committee within two days and concurrently notify all member countries.

(2) The Prices Review Committee shall review the price situation with the view to reaching agreement or action required by member participants to restore price stability and to maintain prices at or above minimum levels and shall notify the Executive Secretary when agreement has been reached and of the action taken to restore market stability.

(3) If after three market days the Prices Review Committee is unable to reach agreement on the action to be taken to restore market stability, the Chairman of the Council shall convene a meeting of the Council

within two days to consider what further measures might be taken. If after not more than three days of review by the Council any member country is exporting or offering wheat below the minimum prices as determined by the Council, the Council shall decide whether provisions of this Convention shall be suspended and if so to what extent.

(4) When any minimum price has been adjusted in accordance with the foregoing, such adjustments shall terminate when the Prices Review Committee or the Council finds that the conditions requiring the adjustments no longer prevail.

ARTICLE 9

Maximum price declarations

(1) The Executive Secretary, who shall keep the prices of wheat under continual review, shall immediately convene a meeting of the Prices Review Committee if he is of the opinion, or the Sub-Committee on Prices or any member country informs him that it is of the opinion that a situation has arisen in which an exporting country is making any wheat available for purchase by importing countries at a price near the maximum price. If the Prices Review Committee decides that such a situation has arisen, the Executive Secretary shall immediately inform all member countries.

(2) As soon as any of its wheat is made available for purchase by importing countries at prices not less than the maximum price, an exporting country shall notify the Council to that effect. On receipt of such notification the Executive Secretary acting on behalf of the Council shall, except as otherwise provided in paragraph (6) of this Article and paragraph (6) of Article 16 make a declaration accordingly, referred to in this Convention as a maximum price declaration. The Executive Secretary shall communicate that maximum price declaration to all member countries as soon as possible after it has been made.

(3) In making a notification under paragraph (2) of this Article, the exporting country shall

(a) if any of the wheats in respect of which the notification is made is not one for which a maximum price is specified in, or has been specified under the provisions of, Article 6, state what it considers the maximum price for the time being, basis f.o.b. United States Gulf ports, for any such wheats to be, and

(b) in the case of all wheats in respect of which the notification is made, state what it computes the maximum prices to be on the date of notification at the points from which those wheats are commonly exported, and the Executive Secretary shall inform all other member countries accordingly. If any member country represents to the Executive Secretary that any of the prices referred to above are not the maximum prices of the wheats concerned, he shall immediately convene a meeting of the Prices Review Committee which shall decide the maximum prices in respect of which representations have been made in consultation with the Sub-Committee on Prices.

(4) As soon as all of its wheat which has been made available at not less than the maximum price is again made available for purchase by importing countries at prices less than the maximum price, an exporting country shall notify the Council to that effect. Thereupon, the Executive Secretary, acting on behalf of the Council, shall terminate the maximum price declaration in respect of that country by making a further declaration accordingly. He shall communicate such further declaration to all exporting and importing countries as soon as possible after it has been made.

(5) The Council shall in its rules of procedure, prescribe regulations to give effect to paragraphs (2) and (4) of this Article, including regulations determining the effective

date of any declaration made under this Article.

(6) If at any time in the opinion of the Executive Secretary an exporting country has failed to make a notification under paragraph (2) or (4) of this Article, or has made an incorrect notification, he shall without prejudice in the latter case to the provisions of paragraph (2) or (4), immediately convene a meeting of the Sub-Committee on Prices. If at any time in the opinion of the Executive Secretary an exporting country has made a notification under paragraph (2) but the facts relating thereto do not warrant a maximum price declaration, he shall not make such a declaration but shall refer the matter to the Sub-Committee at a meeting immediately convened for this purpose. If the Sub-Committee advises either under this paragraph or in accordance with Article 31 that a declaration under paragraph (2) or (4) should be or should not be made or is incorrect, as the case may be, the Prices Review Committee may make or refrain from making a declaration accordingly, or cancel any declaration then in effect, whichever is appropriate, without delay. The Executive Secretary shall communicate any such declaration or cancellation to all member countries as soon as possible.

(7) Any declaration made under this Article shall specify the crop year or crop years to which it relates, and this Convention shall apply accordingly.

(8) If any exporting or importing country considers that a declaration under this Article should be or should not have been made, as the case may be, it may refer the matter to the Council. If the Council finds that the representations of the country concerned are well founded, it shall make or cancel a declaration accordingly.

(9) Any declaration made under paragraphs (2), (4) or (6) of this Article which is cancelled in accordance with this Article shall be regarded as having full force and effect until the date of its cancellation, and such cancellation shall not affect the validity of anything done under the declaration prior to its cancellation.

(10) For the purpose of this Article "wheat" excludes durum wheat and certified seed wheat.

ARTICLE 10

Status of European Economic Community

(1) The European Economic Community which regularly and continuously engages in import and export operations on the international market is listed simultaneously in Annex A and in Annex B of this Convention as an exporting country and as an importing country with all the rights and obligations deriving therefrom.

(2) In regard however to the obligations of the European Economic Community as an exporting country in a situation of a maximum price declaration concerning the wheat of the European Economic Community, the European Economic Community shall make wheat available to importing countries which are members of this Convention at a price which shall not be greater than the maximum price. Moreover, it shall take all useful measures in conformity with the regulations resulting from its common agricultural policy to channel its quantities available for export in an equitable way to importing countries which are members of this Convention.

ARTICLE 11

Adjustment in case of short crop

(1) Any exporting country which fears that it may be prevented by a short crop from carrying out its obligations under this Convention in respect of a particular crop year shall report the matter to the Council at the earliest possible date and apply to the Council to be relieved of a part or the whole of its obligations for that crop year. An application made to the Council pursuant to this paragraph shall be heard without delay.

(2) The Council shall, in dealing with a request for relief under this Article, review the exporting country's supply situation and the extent to which the exporting country has observed the principle that it should, to the maximum extent feasible, make wheat available for purchase to meet its obligations under this Convention.

(3) The Council shall also, in dealing with a request for relief under this Article, have regard to the importance of the exporting country's maintaining the principle stated in paragraph (2) of this Article.

(4) If the Council finds that the country's representations are well founded, it shall decide to what extent and on what conditions that country shall be relieved of its obligations for the crop year concerned. The Council shall inform the exporting country of its decision.

(5) If the Council decides that the exporting country shall be relieved of the whole or part of its obligations under Article 5 for the crop year concerned, the Council shall increase the commitments as represented by the datum quantities of the other exporting countries to the extent agreed by each of them. If such increases do not offset the relief granted under paragraph (4) of this Article, it shall reduce by the amount necessary the entitlements, as represented by the datum quantities of the importing countries to the extent agreed by each of them.

(6) If the relief granted under paragraph (4) of this Article cannot be entirely offset by measures taken under paragraph (5), the Council shall reduce pro rata the entitlement as represented by the datum quantities of the importing countries, account being taken of any reductions under paragraph (5).

(7) If the commitment as represented by the datum quantity of an exporting country is reduced under paragraph (4) of this Article, the amount of such reduction shall be regarded for the purpose of establishing its datum quantity and that of all other exporting countries in subsequent crop years as having been purchased from that exporting country in the crop year concerned. In the light of the circumstances, the Council shall determine whether any adjustment shall be made, and if so in what manner, for the purpose of establishing the datum quantities of importing countries in such subsequent crop years as a result of the operation of this paragraph.

(8) If the entitlement as represented by the datum quantity of an importing country is reduced under paragraph (5) or (6) of this Article to offset the relief granted to an exporting country under paragraph (4), the amount of such reduction shall be regarded as having been purchased in the crop year concerned from that exporting country for the purposes of establishing the datum quantity of that importing country in subsequent crop years.

ARTICLE 12

Adjustment in case of necessity to safeguard balance of payments or monetary reserves

(1) Any importing country which fears that it may be prevented by the necessity to safeguard its balance of payments or monetary reserves from carrying out its obligations under this Convention in respect of a particular crop year shall report the matter to the Council at the earliest possible date and apply to the Council to be relieved of a part or the whole of its obligations for that crop year. An application made to the Council pursuant to this paragraph shall be heard without delay.

(2) If an application is made under paragraph (1) of this Article, the Council shall seek and take into account, together with all facts which it considers relevant, the opinion of the International Monetary Fund, as far as the matter concerns a country which is a member of the Fund, on the existence

and extent of the necessity referred to in paragraph (1).

(2) The Council shall, in dealing with a request for relief under this Article, have regard to the importance of the importing country's maintaining the principle that it should to the maximum extent feasible make purchases to meet its obligations under this Convention.

(4) If the Council finds that the representations of the importing country concerned are well founded, it shall decide to what extent and on what conditions that country shall be relieved of its obligations for the crop year concerned. The Council shall inform the importing country of its decision.

ARTICLE 13

Adjustments and additional purchases in case of critical need

(1) If a critical need has arisen or threatens to arise in its territory, an importing country may appeal to the Council for assistance in obtaining supplies of wheat. With a view to relieving the emergency created by the critical need, the Council shall give urgent consideration to the appeal and shall make appropriate recommendations to exporting and importing countries regarding the action to be taken by them.

(2) In deciding what recommendation should be made in respect of an appeal by an importing country under the preceding paragraph, the Council shall have regard to its actual commercial purchases from member countries or to the extent of its obligations under Article 4, as may appear appropriate in the circumstances.

(3) No action taken by an exporting or importing country pursuant to a recommendation made under paragraph (1) of this Article shall affect the datum quantity of any exporting or importing country in subsequent crop years.

ARTICLE 14

Other adjustments

(1) An exporting country may transfer part of its balance of commitment to another exporting country, and an importing country may transfer part of its balance of entitlement to another importing country for a crop year, subject to approval by the Council.

(2) Any importing country may at any time, by written notification to the Council, increase its percentage undertaking referred to in paragraph (2) of Article 4 and such increase shall become effective from the date of receipt of the notification.

(3) Any importing country which considers that its interests in respect of its percentage undertaking under paragraph (2) of Article 4 are seriously prejudiced by the withdrawal from this Convention of any exporting country holding not less than 50 votes may, by written notification to the Council, apply for a reduction in its percentage undertaking. In such a case, the Council shall reduce that importing country's percentage undertaking by the proportion that its maximum annual commercial purchases during the years determined under Article 15 with respect to the withdrawing country bears to its datum quantity with respect to all countries listed in Annex A and shall then further reduce such revised percentage undertaking by subtracting two and one half.

(4) The datum quantity of any country acceding under paragraph 2 of Article 38 shall be offset, if necessary, by appropriate adjustments by way of increase or decrease in the datum quantities of one or more exporting or importing countries, as the case may be. Such adjustments shall not be approved unless each exporting or importing country whose datum quantity is thereby changed has consented.

(5) The Council may at the request of any country delete that country from either

Annex to this Convention and transfer it to the other.

ARTICLE 15

Establishment of datum quantities

(1) Datum quantities as defined in Article 2 shall be established for each crop year on the basis of average annual commercial purchases during the first four of the immediate preceding five crop years. In the case of steadily expanding markets where, taking the same period, the average annual commercial purchases are in excess of the average datum quantity figures calculated by the above method, the datum quantities shall be adjusted by the addition of the difference of the two averages. For the purpose of this paragraph a steadily expanding market is a market in which the commercial imports were higher than the datum quantity figures calculated under the first sentence of this paragraph in at least 3 out of the 4 years used in such calculation and the percentage undertaking of such a country is not less than eighty per cent.

(2) Before the beginning of each crop year, the Council shall establish for that crop year the datum quantity of each exporting country with respect to all importing countries and the datum quantity of each importing country with respect to all exporting countries and to each such country, except that in calculating datum quantities exports by or imports from the European Economic Community shall be disregarded.

(3) The datum quantities established in accordance with the preceding paragraph shall be re-established whenever a change in the membership of this Convention occurs, regard being had where appropriate to any conditions of accession prescribed by the Council under Article 38.

ARTICLE 16

Recording and reporting

(1) The Council shall keep separate records for each crop year

(a) for the purposes of the operation of this Convention and in particular of Articles 4 and 5, of all commercial purchases by member countries from other member and non-member countries and of all imports by member countries from other member and non-member countries on terms which render them special transactions, and

(b) of all commercial sales by member countries to non-member countries and of all exports by member countries to non-member countries on terms which render them special transactions.

(2) The records referred to in the preceding paragraph shall be kept so that

(a) records of special transactions are separate from records of commercial transactions and

(b) at all times during a crop year a statement of the balance of commitment of each exporting country with respect to all importing countries and of the balance of entitlement of each importing country with respect to all exporting countries and to each such country is maintained. Statements of such balances shall, at intervals prescribed by the Council, be circulated to all exporting and importing countries.

(3) In order to facilitate the operation of the Prices Review Committee under Article 31 the Council shall keep records of international market prices for wheat and wheat flour and of transportation costs.

(4) In the case of any wheat which reaches the country of final destination after re-sale in, passage through, or transshipment from the ports of, a country other than that in which the wheat originated, member countries shall to the maximum extent possible make available such information as will enable the purchase or transaction to be entered in the records referred to in paragraphs (1) and (2) of this Article as a purchase or transaction between the country of origin and the country of final destination.

In the case of a re-sale, the provision of this paragraph shall only apply if the wheat originated in the country of origin during the same crop year.

(5) For the purposes of paragraph (2) of this Article and of paragraph (2) of Article 4, commercial purchases by a member country from another member country entered in the Council's records shall also be entered as against the obligations of each of the two member countries under Articles 4 and 5 respectively, or those obligations as adjusted under other Articles of this Convention, provided that the loading period falls within the crop year and, in relation to obligations under Article 5, that the purchases are by an importing country from an exporting country at prices not in excess of the maximum price. Commercial purchases of wheat flour entered in the Council's records shall also be entered as against the obligations of member countries under the same conditions.

(6) Where a customs union, or a special association status with a customs union, exists between any member country and one or more other countries which permits or obliges wheat to be purchased at prices above the maximum price, any such purchases shall not be regarded as a breach of Article 4 or 5, and shall be entered against the obligations, if any, of the member country or countries concerned. No maximum price declaration shall be made in respect of such purchases from an exporting country, nor shall they in any way affect the obligations of the exporting country concerned to other importing countries under Article 4.

(7) In the case of durum wheat and certified seed wheat, a purchase entered in the Council's records shall also be entered as against the obligations of member countries under the same conditions whether or not the price is above the maximum price.

(8) Provided that the conditions prescribed in paragraph (5) of this Article are satisfied, the Council may authorize purchases to be recorded for a crop year if

(a) the loading period involved is within a reasonable time up to one month, to be decided by the Council before the beginning or after the end of that crop year, and

(b) the two member countries concerned so agree.

(9) For the purpose of this article

(a) member countries shall send to the Executive Secretary such information concerning the quantities of wheat involved in commercial sales and purchases and special transactions as within its competence the Council may require, including,

(i) in relation to special transactions, such detail of the transactions as will enable them to be classified in accordance with Article 3;

(ii) in respect of wheat, such information as may be available as to the type, class, grade and quality, and the quantities relating thereto;

(iii) in respect of flour, such information as may be available to identify the quality of the flour and the quantities relating to each separate quality;

(b) member countries when exporting on a regular basis, and such other member countries as the Council shall decide, shall send to the Executive Secretary such information relating to prices of commercial and, where available, special transactions in such descriptions, classes, types, grades and quantities of wheat and wheat flour as the Council may require.

(c) the Council shall obtain regular information on currently prevailing transportation costs and member countries shall to the extent practicable report such supplementary information as the Council may require.

(10) the Council shall make rules of procedure for the reports and records referred to in this Article. Those rules shall prescribe

the frequency and the manner in which those reports shall be made and shall prescribe the duties of member countries with regard thereto. The Council shall also make provision for the amendment of any records or statements kept by it, including provision for the settlement of any dispute arising in connexion therewith. If any member country repeatedly and unreasonably fails to make reports as required by this Article, the Executive Committee shall arrange consultations with that country to remedy the situation.

ARTICLE 17

Estimates of requirements and availability of wheat

(1) By 1 October in the case of Northern Hemisphere countries and 1 February in the case of Southern Hemisphere countries, each importing country shall notify the Council of its estimate of its commercial requirements of wheat from exporting countries in that crop year. Any importing country may thereafter notify the Council of any changes it may desire to make in its estimate.

(2) By 1 October in the case of Northern Hemisphere countries and 1 February in the case of Southern Hemisphere countries, each exporting country shall notify the Council of its estimate of the wheat it will have available for export in that crop year. Any exporting country may thereafter notify the Council of any changes it may desire to make in its estimate.

(3) All estimates notified to the Council shall be used for the purpose of the administration of this Convention and may only be made available to exporting and importing countries on such conditions as the Council may prescribe. Estimates submitted in accordance with this Article shall in no way be binding.

(4) Exporting and importing countries shall be free to fulfill their obligations under this Convention through private trade channels or otherwise. Nothing in this Convention shall be construed to exempt any private trader from any laws or regulations to which he is otherwise subject.

(5) The Council may, at its discretion, require exporting and importing countries to co-operate together to ensure that an amount of wheat equal to not less than ten per cent of the datum quantities of exporting countries for any crop year shall be available for purchase by importing countries under this Convention after 31 January of that crop year.

ARTICLE 18

Consultations

(1) In order to assist an exporting country in assessing the extent of its commitments if a maximum price declaration should be made and without prejudice to the rights enjoyed by any importing country, an exporting country may consult with an importing country regarding the extent to which the rights of that importing country under Articles 4 and 5 will be taken up in any crop year.

(2) Any exporting or importing country experiencing difficulty in making sales or purchases of wheat under Article 4 may refer the matter to the Council. In such a case the Council, with a view to the satisfactory settlement of the matter, shall consult with any exporting or importing country concerned and may make such recommendations as it considers appropriate.

(3) If an importing country should find difficulty in obtaining its balance of entitlement in a crop year at prices not greater than the maximum price while a maximum price declaration is in effect, it may refer the matter to the Council. In such a case the Council shall investigate the situation and shall consult with exporting countries regarding the manner in which their obligations shall be carried out.

ARTICLE 19

Performance under Articles 4 and 5

(1) The Council shall as soon as practicable after the end of each crop year review the performance of exporting and importing countries in relation to their obligations under Articles 4 and 5 during that crop year.

(2) For the purpose of this review each member country may be permitted in the fulfillment of its obligations a degree of tolerance to be prescribed by the Council for that country on the basis of the extent of those obligations and other relevant factors.

(3) In considering the performance of any importing country in relation to its obligations in the crop year:

(a) the Council shall disregard any exceptional importation of wheat from non-member countries provided that it can be shown to the satisfaction of the Council that such wheat has been or will be used only as feed and that such importation was not at the expense of quantities normally purchased by that importing country from member countries;

(b) the Council shall disregard any importation of denatured wheat from non-member countries.

ARTICLE 20

Defaults under Article 4 or 5

(1) If, on the basis of the review made under Article 19, any country appears to be in default of its obligations under Article 4 or 5, the Council shall decide what action should be taken.

(2) Before reaching a decision under this Article, the Council shall give any exporting or importing country concerned the opportunity to present any facts which it considers relevant.

(3) If the Council finds that an exporting country or an importing country is in default under Article 4 or 5, it may deprive the country concerned of its voting rights for such period as the Council may determine, reduce the other rights of that country to the extent which it considers commensurate with the default, or expel that country from participation in this Convention.

(4) No action taken by the Council under this Article shall in any way reduce the obligation of the country concerned in respect of its financial contributions to the Council unless that country is expelled from participation in this Convention.

ARTICLE 21

Action in cases of serious prejudice

(1) Any exporting or importing country which considers that its interests as a party to this Convention have been seriously prejudiced by actions of any one or more exporting or importing countries affecting the operation of this Convention may bring the matter before the Council. In such a case, the Council shall immediately consult with the countries concerned in order to resolve the matter.

(2) If the matter is not resolved through such consultations, the Council may refer the matter to the Executive Committee or the Prices Review Committee for urgent investigation and report. On receipt of any such report, the Council shall consider the matter further and may make recommendations to the countries concerned.

(3) If, after action has or has not been taken, as the case may be, under paragraph (2) of this Article, the country concerned is not satisfied that the matter has been satisfactorily dealt with, it may apply to the Council for relief. The Council may, if it deems appropriate, relieve that country of part of its obligations for the crop year in question. Two-thirds of the votes cast by the exporting countries and two-thirds of the votes cast by the importing countries shall be required for a decision granting relief.

(4) If no relief is granted by the Council under paragraph (3) of this Article and the country concerned still considers that its interests as a party to this Convention have suffered serious prejudice, it may withdraw from this Convention at the end of the crop year by giving written notice to the Government of the United States of America. If the matter was brought before the Council in one crop year and the Council's consideration of the application for relief was concluded in the subsequent crop year the withdrawal of the country concerned may be effected within thirty days of such conclusion by giving similar notice.

ARTICLE 22

Disputes and complaints

(1) Any dispute concerning the interpretation or application of this Convention other than a dispute under Articles 19 and 20 which is not settled by negotiation shall, at the request of any country party to the dispute, be referred to the Council for decision.

(2) In any case where a dispute has been referred to the Council under paragraph (1) of this Article, a majority of countries, or any countries holding not less than one-third of the total votes, may require the Council, after full discussion, to seek the opinion of the advisory panel referred to in paragraph (3) on the issues in dispute before giving its decision.

(3) (a) Unless the Council unanimously agrees otherwise, the panel shall consist of:

(i) two persons, one having wide experience in matters of the kind in dispute and the other having legal standing and experience, nominated by the exporting countries;

(ii) two such persons nominated by the importing countries; and

(iii) a chairman selected unanimously by the four persons nominated under (i) and (ii) or, if they fail to agree, by the Chairman of the Council.

(b) Persons from countries whose Governments are parties to this Convention shall be eligible to serve on the advisory panel. Persons appointed to the advisory panel shall act in their personal capacities and without instructions from any Government.

(c) The expenses of the advisory panel shall be paid by the Council.

(4) The opinion of the advisory panel and the reasons therefor shall be submitted to the Council which, after considering all the relevant information, shall decide the dispute.

(5) Any complaint that any exporting or importing country has failed to fulfill its obligations under this Convention shall, at the request of the country making the complaint, be referred to the Council, which shall make a decision on the matter.

(6) Any finding that an exporting or importing country is in breach of this Convention shall specify the nature of the breach and if the breach involves default by that country in its obligations under Article 4 or 5, the extent of such default.

(7) Subject to the provisions of Article 20, if the Council finds that an exporting country or an importing country has committed a breach of this Convention it may deprive the country concerned of its voting rights until it fulfills its obligations or expel that country from participation in this Convention.

ARTICLE 23

Annual review of the world grains situation

(1) (a) In the furtherance of the objectives of this Convention as set forth in Article 1, the Council shall annually review the world grains situation and shall inform member countries of the effects upon the international trade in grains of the facts which emerge from the review, in order that these effects be kept in mind by these countries in determining and administering their internal agricultural and price policies.

(b) The review shall be carried out in the

light of information obtainable in relation to national production, stocks, consumption, prices and trade, including both commercial and special transactions, of grains.

(c) Each member country may submit to the Council information which is relevant to the annual review of the world grains situation and is not already available to the Council either directly or through the Food and Agriculture Organization of the United Nations.

(2) In carrying out the annual review, the Council shall consider the means through which the consumption of grains may be increased, and may undertake, in co-operation with member countries, studies of such matters as:

(a) factors affecting the consumption of grains in various countries; and

(b) means of achieving increased consumption, particularly in countries where the possibility of increased consumption is found to exist.

(3) For the purposes of this Article, the Council shall pay due regard to work done by the Food and Agriculture Organization of the United Nations and other intergovernmental organizations, in order in particular to avoid duplication of work, and may, without prejudice to the generality of paragraph (1) of Article 35, make such arrangements regarding co-operation in any of its activities as it considers desirable with such intergovernmental organizations and also with any Governments of Members of the United Nations or the specialized agencies not parties to this Convention which have a substantial interest in the international trade in grains.

(4) Nothing in this Article shall prejudice the complete liberty of action of any member country in the determination and administration of its internal agricultural and price policies.

ARTICLE 24

Guidelines relating to concessional transactions

(1) Member countries undertake to conduct any concessional transactions in grains in such a way as to avoid harmful interference with normal patterns of production and international commercial trade.

(2) To this end member countries shall undertake appropriate measures to ensure that concessional transactions are additional to commercial sales which could reasonably be anticipated in the absence of such transactions. Such measures shall be consistent with the Principles of Surplus Disposal and Guiding Lines recommended by the Food and Agriculture Organization of the United Nations and may provide that a specified level of commercial imports of wheat, agreed with the recipient country, be maintained on a global basis by that country. In establishing or adjusting this level full regard shall be had to the commercial import levels in a representative period and to the economic circumstances of the recipient country, including in particular, its balance of payments situation.

(3) Member countries when engaging in concessional export transactions shall consult with exporting member countries whose commercial sales might be affected by such transactions, to the maximum possible extent before such arrangements are concluded with recipient countries.

(4) The Executive Committee shall furnish an annual report to the Council on developments in concessional transactions in wheat.

PART III—ADMINISTRATION

ARTICLE 25

Constitution of the Council

(1) The International Wheat Council, established by the International Wheat Agreement 1949, shall continue in being for the purpose of administering this Convention, with the membership, powers and functions provided in this Convention.

(2) Each member country shall be a voting member of the Council and may be represented at its meeting by one delegate, alternates, and advisers.

(3) Such intergovernmental organizations as the Council may decide to invite to any of its meetings may each have one non-voting representative in attendance at those meetings.

(4) The Council shall elect a Chairman and Vice-Chairman who shall hold office for one crop year. The Chairman shall have no vote and the Vice-Chairman shall have no vote while acting as Chairman.

ARTICLE 26

Powers and functions of the Council

(1) The Council shall establish its rules of procedure.

(2) The Council shall keep such records as are required by the terms of this Convention and may keep such other records as it considers desirable.

(3) The Council shall publish an annual report and may also publish any other information (including, in particular, its annual review or any part or summary thereof) concerning matters within the scope of this Convention.

(4) In addition to the powers and functions specified in this Convention the Council shall have such other powers and perform such other functions as are necessary to carry out the terms of this Convention.

(5) The Council may, by two-thirds of the votes cast by the exporting countries and two-thirds of the votes cast by the importing countries, delegate the exercise of any of its powers or functions. The Council may at any time revoke such delegation by a majority of the votes cast. Subject to the provisions of Article 9, any decision made under any powers or functions delegated by the Council in accordance with this paragraph shall be subject to review by the Council at the request of any exporting or importing country made within a period which the Council shall prescribe. Any decision, in respect of which no request for review has been made within the prescribed period, shall be binding on all member countries.

(6) In order to enable the Council to discharge its functions under this Convention, member countries undertake to make available and supply such statistics and information as are necessary for this purpose.

ARTICLE 27

Votes

(1) The exporting countries shall together hold 1000 votes and the importing countries shall together hold 1000 votes.

(2) At the beginning of the first session of the Council held under this Convention, the exporting countries which have by that date deposited instruments of ratification, acceptance, approval or accession or declarations of provisional application shall divide the votes of the exporting countries among them as they shall decide and the importing countries fulfilling the same condition shall similarly divide their votes.

(3) Any exporting country may authorize any other exporting country, and any importing country may authorize any other importing country, to represent its interests and to exercise its votes at any meeting or meetings of the Council. Satisfactory evidence of such authorization shall be submitted to the Council.

(4) If at any meeting of the Council an importing country or an exporting country is not represented by an accredited delegate and has not authorized another country to exercise its votes in accordance with paragraph (3) of this Article, and if at the date of any meeting any country has forfeited, has been deprived of, or has recovered its votes under any provisions of this Convention, the total votes to be exercised by the exporting countries shall be adjusted to a figure equal to the total of votes to be exer-

cised at that meeting by the importing countries and redistributed among exporting countries in proportion to their votes.

(5) Whenever any country becomes or ceases to be a party to this Convention subsequent to the date of the Council session referred to in paragraph (2) of this Article, the Council shall redistribute the votes of the other exporting or importing countries, as the case may be, proportionally to the number of votes held by each such country or, with respect to exporting countries, as otherwise agreed.

(6) No member country shall have less than one vote and there shall be no fractional votes.

ARTICLE 28

Seat, sessions and quorum

(1) The seat of the Council shall be London unless the Council decides otherwise.

(2) The Council shall meet at least once during each half of each crop year and at such other times as the Chairman may decide, or as otherwise required by this Convention.

(3) The Chairman shall convene a Session of the Council if so requested by (a) five countries or (b) one or more countries holding a total of not less than ten per cent of the total votes or (c) the Executive Committee.

(4) The presence of delegates with a majority of the votes held by the exporting countries and a majority of the votes held by the importing countries prior to any adjustment of votes under Article 27 shall be necessary to constitute a quorum at any meeting of the Council.

ARTICLE 29

Decisions

(1) Except where otherwise specified in this Convention, decisions of the Council shall be by a majority of the votes cast by the exporting countries and a majority of the votes cast by the importing countries, counted separately.

(2) Each member country undertakes to accept as binding all decisions of the Council under the provisions of this Convention.

ARTICLE 30

Executive Committee

(1) The Council shall establish an Executive Committee. The members of the Executive Committee shall be not more than four exporting countries elected annually by the exporting countries and not more than eight importing countries elected annually by the importing countries. The Council shall appoint the Chairman of the Executive Committee and may appoint a Vice-Chairman.

(2) The Executive Committee shall be responsible to and work under the general direction of the Council. It shall have such powers and functions as are expressly assigned to it under this Convention and such other powers and functions as the Council may delegate to it under paragraph (5) of Article 26.

(3) The exporting countries on the Executive Committee shall have the same total number of votes as the importing countries. The votes of the exporting countries on the Executive Committee shall be divided among them as they shall decide, provided that no such exporting country shall have more than forty per cent of the total votes of those exporting countries. The votes of the importing countries on the Executive Committee shall be divided among them as they shall decide, provided that no such importing country shall have more than forty per cent of the total votes of those importing countries.

(4) The Council shall prescribe rules of procedure regarding voting in the Executive Committee and may make such other provision regarding rules of procedure in the Executive Committee as it thinks fit. A decision of the Executive Committee shall require the same majority of votes as this Con-

vention prescribes for the Council when making a decision on a similar matter.

(5) Any exporting or importing country which is not a member of the Executive Committee may participate, without voting, in the discussion of any question before the Executive Committee whenever the latter considers that the interests of that country are affected.

ARTICLE 31

Prices review committee

(1) The Council shall establish a Prices Review Committee consisting of a maximum of 13 members. The members of the Committee shall include the European Economic Community and at least five other importing countries and five other exporting countries chosen annually by the importing and exporting countries respectively. Any additional importing and exporting countries shall be similarly chosen. The Council shall appoint the Chairman of the Committee and may appoint a Vice-Chairman.

(2) Any member country which is not a member of the Committee may participate in the discussion of any question before the Committee whenever the latter considers that the interests of that country are directly affected.

(3) The Prices Review Committee shall have such powers and functions as are expressly assigned to it under this Convention and such other powers and functions as the Council may delegate to it under paragraph (5) of Article 26.

(4) The Committee shall reach its conclusions by agreement. Agreement on a matter under discussion by the Committee shall be understood to have been reached if the conclusion is not disputed by any member of the Committee having a direct interest in the matter. A conclusion shall be regarded as disputed if the country challenging the conclusion declares its intention to refer the matter to the Council.

(5) The Committee's conclusions shall be communicated to all member countries.

(6) If the Committee fails to reach agreement, a meeting of the Council shall be convened. All decisions of the Council on issues arising out of the Prices Review Committee shall be by a two-thirds majority of the votes cast by the exporting countries and a two-thirds majority of the votes cast by the importing countries, counted separately.

(7) The Prices Review Committee shall establish a Sub-Committee on Prices, which shall consist of representatives of not more than four exporting countries and not more than four importing countries. Member countries shall have particular regard to the technical qualifications of representatives nominated by them. The Chairman of the Sub-Committee shall be appointed by the Council.

(8) The Sub-Committee on Prices shall assist the Secretariat in keeping market prices for wheat under continuous review and in computing minimum and maximum prices as provided for under this Convention. The Sub-Committee shall give technical advice to the Prices Review Committee and the Council in accordance with the relevant Articles of this Convention, and on such other matters as that Committee or the Council may refer to it. The Sub-Committee shall in particular immediately inform the Executive Secretary whenever in its opinion an exporting country is making any wheat available for purchase by importing countries at a price near the maximum price. The Sub-Committee shall, in the exercise of its functions under this paragraph, take into account any representations made by any member country.

ARTICLE 32

The Secretariat

(1) The Council shall have a Secretariat consisting of an Executive Secretary, who

shall be its chief administrative officer, and such staff as may be required for the work of the Council and its Committees.

(2) The Council shall appoint the Executive Secretary who shall be responsible for the performance of the duties revolving upon the Secretariat in the administration of this Convention and for the performance of such other duties as are assigned to him by the Council and its Committees.

(3) The staff shall be appointed by the Executive Secretary in accordance with regulations established by the Council.

(4) It shall be a condition of employment of the Executive Secretary and of the staff that they do not hold or shall cease to hold financial interest in the trade in wheat and that they shall not seek or receive instructions regarding their duties under this Convention from any Government or from any other authority external to the Council.

ARTICLE 33

Privileges and immunities

(1) The Council shall have in the territory of each member country, to the extent consistent with its laws, such legal capacity as may be necessary for the exercise of its functions under this Convention.

(2) The Government of the territory in which the seat of the Council is situated (hereinafter referred to as "the host Government") shall conclude with the Council an international agreement relating to the status, privileges and immunities of the Council, its Executive Secretary and its staff and of representatives of member countries at meetings convened by the Council.

(3) The agreement envisaged in paragraph (2) of this Article shall be independent of the present Convention. It shall however terminate:

(a) by agreement between the host Government and the Council, or

(b) in the event of the seat of the Council being moved from the territory of the host Government, or

(c) in the event of the Council ceasing to exist.

(4) Pending the entry into force of the agreement envisaged in paragraph (2) of this Article, the host Government shall grant exemption from taxation on the assets, income and other property of the Council and on remuneration paid by the Council to its employees other than nationals of the member country in whose territory the seat of the Council is situated.

ARTICLE 34

Finance

(1) The expenses of delegations to the Council and of representatives on its Committees and Sub-Committees shall be met by their respective Governments. The other expenses necessary for the administration of this Convention shall be met by annual contributions from the exporting and importing countries. The contribution of each such country for each crop year shall be in the proportion which the number of its votes bears to the total of the votes of the exporting and importing countries at the beginning of that crop year.

(2) At its first Session after this Convention comes into force, the Council shall approve its budget for the period ending 30 June 1969 and assess the contribution to be paid by each exporting and importing country.

(3) The Council shall, at a Session during the second half of each crop year, approve its budget for the following crop year and assess the contribution to be paid by each exporting and importing country for that crop year.

(4) The initial contribution of any exporting or importing country acceding to this Convention under paragraph (2) of Article 38 shall be assessed by the Council on the basis of the votes to be distributed to it and

the period remaining in the current crop year, but the assessments made upon other exporting and importing countries for the current crop year shall not be altered.

(5) Contributions shall be payable immediately upon assessment. Any exporting or importing country failing to pay its contribution within one year of its assessment shall forfeit its voting rights until its contribution is paid, but shall not be relieved of its obligation under this Convention, nor shall it be deprived of any of its rights under this Convention unless the Council so decides.

(6) The Council shall, each crop year, publish an audited statement of its receipts and expenditures in the previous crop year.

(7) The Council shall, prior to its dissolution, provide for the settlement of its liabilities and the disposal of its records and assets.

ARTICLE 35

Co-operation with other intergovernmental organizations

(1) The Council may make whatever arrangements are desirable for consultation and co-operation with the appropriate organs of the United Nations and its specialized agencies and with other intergovernmental organizations.

(2) If the Council finds that any terms of this Convention are materially inconsistent with such requirements as may be laid down by the United Nations or through its appropriate organs and specialized agencies regarding intergovernmental commodity agreements, the inconsistency shall be deemed to be a circumstance affecting adversely the operation of this Convention and the procedure prescribed in paragraphs (3), (4) and (5) of Article 41 shall be applied.

PART IV—FINAL PROVISIONS

ARTICLE 36

Signature

This Convention shall be open for signature in Washington from 15 October 1967 until and including 30 November 1967.

(a) by the Governments of Argentina, Australia, Canada, Denmark, Finland, Japan, Norway, Sweden, Switzerland, the United Kingdom, the United States and by the European Economic Community and its Member States provided they sign both this Convention and the Food Aid Convention, and

(b) by other Governments listed in Annexes A and B if they so wish.

ARTICLE 37

Ratification, acceptance or approval

This Convention shall be subject to ratification, acceptance or approval by each signatory in accordance with its respective constitutional or institutional procedures, provided that any Government required to sign the Food Aid Convention as a condition to signature of this Convention also ratifies, accepts or approves the Food Aid Convention. Instruments of ratification, acceptance or approval shall be deposited with the Government of the United States of America not later than 17 June 1968 except that the Council may grant one or more extensions of time to any signatory that has not deposited its instrument of ratification, acceptance or approval by that date.

ARTICLE 38

Accession

(1) This Convention shall be open for accession

(a) by the European Economic Community and its Member States or by any other Government listed in Article 36 (a) provided the Government also accedes to the Food Aid Convention, and

(b) by other Governments listed in Annexes A and B.

Instruments of accession under this paragraph shall be deposited not later than 17 June 1968 except that the Council may grant

one or more extensions of time to any Government that has not deposited its instrument of accession by that date.

(2) The Council may by two-thirds of the votes cast by exporting countries and by two-thirds of the votes cast by importing countries approve accession to this Convention by the Government of any Member of the United Nations or its specialized agencies on such conditions as the Council considers appropriate.

(3) If any Government not listed in Annex A or B wishes to apply for accession to this Convention prior to its entry into force, and the Council chooses to receive and act on such application in accordance with the provisions of this Article, the approval and conditions established by the Council shall be as valid under this convention as if that action had been taken by the Council under this Convention after its entry into force.

(4) Accession shall be effected by deposit of an instrument of accession with the Government of the United States of America.

(5) Where, for the purposes of the operation of this Convention, reference is made to countries listed in Annexes A or B, any country the Government of which has acceded to this Convention on conditions prescribed by the Council in accordance with this Article, shall be deemed to be listed in the appropriate Annex.

ARTICLE 39

Provisional application

The European Economic Community and its Member States and any other Government listed in Article 36(a) may deposit with the Government of the United States of America a declaration of provisional application of this Convention provided it also deposits a declaration of provisional application of the Food Aid Convention. Any other Government eligible to sign this Convention or whose application for accession is approved by the Council may also deposit with the Government of the United States of America a declaration of provisional application. Any Government depositing such a declaration shall provisionally apply this Convention and be provisionally regarded as a party thereto provided that any Government listed in Article 36(a) shall only be regarded as a provisional party to this Convention as long as it provisionally applies the Food Aid Convention.

ARTICLE 40

Entry into force

(1) This Convention shall enter into force among those Governments that have deposited instruments of ratification, acceptance, approval or accession as follows:

(a) on 18 June 1968 with respect to all provisions other than Articles 4 to 10 and (b) on 1 July 1968 with respect to Articles 4 to 10 provided that the European Economic Community and its Member States and all other Governments listed in Article 36(a) have deposited such instruments or a declaration of provisional application by 17 June 1968 and that the Food Aid Convention will enter into force on 1 July 1968.

(2) This Convention shall enter into force for any Government that deposits an instrument of ratification, acceptance, approval or accession after 17 June 1968 on the date of such deposit except that no part of it shall enter into force for such a Government until that part enters into force for other Governments under paragraph (1) or (3) of this Article.

(3) If this Convention does not enter into force in accordance with paragraph (1) of this Article the Governments which have deposited instruments of ratification, acceptance, approval or accession or declarations of provisional application may decide by mutual consent that it shall enter into force among those Governments that have deposited instruments of ratification, accept-

ance, approval or accession, provided the Food Aid Convention enters into force on the first date that all the provisions of this Convention are in force, or they may take whatever other action they consider the situation requires.

(4) The Council may before this Convention enters into force establish for any country, in agreement with that country, the percentage referred to in paragraph (2) of Article 4 in accordance with that paragraph, and shall at its first session after any part of this Convention comes into force so establish the percentage for any member country for which a percentage has not been established.

ARTICLE 41

Duration, amendment and withdrawal

(1) This Convention shall remain in force until and including 30 June 1971.

(2) The Council shall, at such time as it considers appropriate, communicate to the member countries its recommendations regarding renewal or replacement of this Convention. The Council may invite any Government of a Member of the United Nations or the specialized agencies not party to this Convention which has a substantial interest in the international trade in wheat to participate in any of its discussions under this paragraph.

(3) The Council may recommend an amendment of this Convention to the member countries.

(4) The Council may fix a time within which each member country shall notify the Government of the United States of America whether or not it accepts the amendment. The amendment shall become effective upon its acceptance by exporting countries which hold two-thirds of the votes of the exporting countries and by importing countries which hold two-thirds of the votes of the importing countries.

(5) Any member country which has not notified the Government of the United States of America of its acceptance of an amendment by the date on which such amendment becomes effective may, after giving such written notice of withdrawal to the Government of the United States of America as the Council may require in each case, withdraw from this Convention at the end of the current crop year, but shall not thereby be released from any obligations under this Convention which have not been discharged by the end of that crop year. Any such withdrawing country shall not be bound by the provisions of the amendment occasioning its withdrawal.

(6) Any member country which considers its interests to be seriously prejudiced by the non-participation in this Convention of any Government listed in Article 36(a) may withdraw from this Convention by giving written notice of withdrawal to the Government of the United States of America before 1 July 1968. If an extension of time has been granted by the Council under Article 37 or 38, notice of withdrawal in accordance with this paragraph may be given before the expiry of 14 days after the extension granted.

(7) Any member country which considers its national security to be endangered by the outbreak of hostilities may withdraw from this Convention by giving thirty days' written notice of withdrawal to the Government of the United States of America or may apply in the first instance to the Council for the suspension of any or all of its obligations under this Convention.

(8) Any exporting country which considers its interest to be seriously prejudiced by the withdrawal from this Convention of any importing country holding not less than 50 votes or any importing country which considers its interests to be seriously prejudiced by the withdrawal from this Convention of any exporting country holding not less than 50

votes may withdraw from this Convention by giving written notice of withdrawal to the Government of the United States of America before the expiry of 14 days from the withdrawal of the country which is considered to cause such serious prejudice.

ARTICLE 42

Territorial application

(1) Any Government may, at the time of signature or ratification, acceptance, approval, provisional application of or accession to this Convention, declare that its rights and obligations under this Convention shall not apply in respect of all or any of the non-metropolitan territories for the international relations of which it is responsible.

(2) With the exception of territories in respect of which a declaration has been made in accordance with paragraph (1) of this Article, the rights and obligations of any Government under this Convention shall apply in respect of all non-metropolitan territories for the international relations of which that Government is responsible.

(3) Any Government may, at any time after its ratification, acceptance, approval, provisional application of or accession to this Convention, by notification to the Government of the United States of America, declare that its rights and obligations under this Convention shall apply in respect of all or any of the non-metropolitan territories regarding which it has made a declaration in accordance with paragraph (1) of this Article.

(4) Any Government may, by giving notification of withdrawal to the Government of the United States of America, withdraw from this Convention separately in respect of all or any of the non-metropolitan territories for whose international relations it is responsible.

(5) For the purposes of the establishment of datum quantities under Article 15 and the redistribution of votes under Article 27, any change in the application of this Convention in accordance with this Article shall be regarded as a change in participation in this Convention in such manner as may be appropriate to the circumstances.

ARTICLE 43

Notification by depositary authority

The Government of the United States of America as the depositary authority will notify all signatory and acceding Governments of each signature, ratification, acceptance, approval, provisional application of, and accession to, this Convention, as well as each notification and notice received under Article 41 and each declaration and notification received under Article 42.

ARTICLE 44

Relationship of Preamble to Convention

This Convention includes the Preamble to the International Grains Arrangement 1967. IN WITNESS WHEREOF the undersigned, having been duly authorized to this effect by their respective Governments, have signed this Convention on the dates appearing opposite their signature.

The texts of this Convention in the English, French, Russian and Spanish languages shall all be equally authentic. The originals shall be deposited in the archives of the Government of the United States of America, which shall transmit certified copies thereof to each signatory and acceding Government.

ANNEX A

Argentina
Australa
Canada
European Economic Community
Greece
Mexico
Spain
Sweden
Union of Soviet Socialist Republics
United States of America

ANNEX B

Afghanistan
Algeria
Austria
Barbados
Bolivia
Brazil
Bulgaria
Ceylon
Chile
Colombia
Costa Rica
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
El Salvador
European Economic Community
Finland
Ghana
Guatemala
Haiti
Iceland
India
Indonesia
Iran
Ireland
Israel
Japan
Kingdom of the Netherlands (with respect to the interests of Netherlands Antilles and Surinam)
Korea, Republic of
Lebanon
Libya
Malaysia
New Zealand
Nigeria
Norway
Pakistan
Panama
Peru
Philippines
Poland
Portugal
Romania
San Marino, Republic of
Saudi Arabia
Sierra Leone
South Africa
Southern Rhodesia
Switzerland
Syrian Arab Republic
Trinidad and Tobago
Tunisia
Turkey
United Arab Republic
United Kingdom
Uruguay
Vatican City
Venezuela
Vietnam, Republic of
Western Samoa
Yugoslavia
For Afghanistan:
For Albania:
For Argentina:
A C ALSOGARAY
29/XI/1967
For Australia:
KEITH WALLER
27-X-67
For Austria:
For Barbados:
For Bolivia:
For Brazil:
For Bulgaria:
For Canada:
A. EDGAR RITCHIE
November 2, 1967
For Ceylon:
For Chile:
For Colombia:
For Costa Rica:
For Cuba:
For Czechoslovakia:
For Denmark:
FEMMING AGERUP
Subject to ratification 24 November 1967

For the Dominican Republic:
For Ecuador:
For El Salvador:
For the European Economic Community:
L G RABOT, November 28, 1967
Belgium:
BARON SCHEYVEN
November 17, 1967
France:
CHARLES LUCET
November 27th 1967
Federal Republic of Germany:
K. H. KNAPPSTEIN
17 November 1967
Italy:
EGIDIO ORTONA
20 November 1967
Luxembourg:
M STEINMETZ
16 November 1967
Kingdom of the Netherlands:
C. SCHURMANN
Subject to ratification 16 November 1967
For Finland:
PEKKA MALINEN, November 27, 1967
Finland reserves full freedom to continue the imports of grain in accordance with her traditional trade pattern. Consequently, Finland makes a reservation as to the obligation put forward under paragraphs 2 and 4 of Article 4 of the Wheat Trade Convention.
For Ghana:
For Greece:
CHRISTIAN XANTHOPOULOS-PALMAS
Subject to ratification November 29, 1967.
For Guatemala:
For Haiti:
For Iceland:
For India:
BRAJ KUMAR NEHRU
30.11.1967.
For Indonesia:
For Iran:
For Ireland:
WILLIAM P. FAY
Subject to ratification, November 29, 1967.
For Israel:
S. SITON
Subject to ratification, Nov. 29, 1967
For Japan:
T. SHIMODA
November 9, 1967
For the Republic of Korea:
DONG JO KIM
Nov. 30, 1967
For Lebanon:
I AHDA
Sous réserve de ratification 30 November 1967
For Libya:
For Malaysia:
For Mexico:
HUGO B. MARGAIN
29th November 1967
For the Kingdom of the Netherlands (With respect to the interests of the Netherlands Antilles and Surinam):
For New Zealand:
For Nigeria:
For the Kingdom of Norway:
ARNE GUNNENG
Subject to ratification November 29, 1967
For Pakistan:
APTAB AHMAD KHAN
28th November, 1967
For Panama:
For Peru:
For the Republic of the Philippines:
For Poland:
For Portugal:
VASCO VIEIRA GARIN
Subject to ratification, 27th November 1967
For Romania:
For the Republic of San Marino:

For Saudi Arabia:
IBRAHIM AL-SOWAYEL
November 30th 1967
For Sierra Leone:
For the Republic of South Africa:
H L T TASWELL
28 Nov 1967
For Southern Rhodesia:
For Spain:
MERRY DEL VAL
Nov. 28, 1967.
For Sweden:
HUBERT DEBESCHE
Subject to ratification of the Riksdag, Nov. 22, 1967
For Switzerland:
F. SCHNYDER
Sous réserve de ratification 28 November 1967
For the Syrian Arab Republic:
For Trinidad and Tobago:
For Tunisia:
S. ABDELLAH
24th October 1967
For Turkey:
For the Union of Soviet Socialist Republics:
For the United Arab Republic:
For the United Kingdom of Great Britain and Northern Ireland:
PATRICK DEAN, November 28, 1967.
At the time of signing the present Agreement I declare in accordance with paragraph (1) of Article 42 thereof, that my signature is in respect of the United Kingdom of Great Britain & Northern Ireland only, & that the rights & obligations of the Government of the United Kingdom under the Agreement shall not apply in respect of any of the non-metropolitan territories for the international relations of which they are responsible.
For the United States of America:
JOHN A. SCHNITTKER
Nov 8, 1967
For Uruguay:
For the Vatican City State:
LUIGI RAIMONDI
Nov. 13, 1967
For Venezuela:
For the Republic of Viet-Nam:
For Western Samoa:
For Yugoslavia:

FOOD AID CONVENTION

ARTICLE I
Objective

The objective of this Convention is to carry out a food aid programme with the help of contributions for the benefit of developing countries.

ARTICLE II

International food aid

(1) The countries party to this Convention agree to contribute wheat, coarse grains, or the cash equivalent thereof, as aid to the developing countries, to an amount of 4.5 million metric tons of grain annually. Grains covered by the programme shall be suitable for human consumption and of an acceptable type and quality.

(2) The minimum contribution of each country party to this Convention is fixed as follows:

	Percent	Metric tons (thousands)
United States.....	42.0	1,890
Canada.....	11.0	495
Australia.....	5.0	225
Argentina.....	5.0	225
European Economic Community.....	23.0	1,035
United Kingdom.....	5.0	225
Switzerland.....	7.0	315
Sweden.....	1.2	54
Denmark.....	1.6	72
Norway.....	3.0	135
Finland.....	3.0	135
Japan.....	5.0	225

Countries acceding to this Convention shall make contributions on such a basis as may be agreed.

(3) The contribution of a country making the whole or part of its contribution to the programme in the form of cash shall be calculated by evaluating the quantity determined for that country (or that portion of the quantity not contributed in grain) at US\$1.73 per bushel.

(4) Food aid in the form of grain shall be supplied on the following terms:

(a) sales for the currency of the importing country which is not transferable and is not convertible into currency or goods and services for use by the contributing country.

(b) a gift of grain or a monetary grant used to purchase grain for the importing country.

Grain purchases shall be made from participating countries. In the use of grant funds, special regard shall be had to facilitating grain exports of developing member countries. To this end priority shall be given so that not less than 25 per cent of the cash contribution to purchase grain for food aid or that part of such contribution required to purchase 200,000 metric tons of grain shall be used to purchase grains produced in developing countries. Contributions in the form of grains shall be placed in f.o.b. forward position by donor countries.

(5) Countries party to this Convention may, in respect of their contribution to the food aid programme, specify a recipient country or countries.

ARTICLE III

Food Aid Committee

(1) There shall be established a Food Aid Committee whose membership shall consist of countries listed in Article VI of this Convention and of other countries that accede to this Convention. The Committee shall appoint a Chairman and Vice-Chairman.

(2) The Committee may when appropriate invite representatives of the Secretariats of other international organizations whose membership is limited to Governments that are also Members of the United Nations or its specialized agencies to attend as observers.

(3) The Committee shall:

(a) receive regular reports from contributing countries on the amount, content, channelling and terms of their food aid contributions under this Convention;

(b) keep under review the purchase of grains financed by cash contributions with particular reference to the obligation in the second paragraph of Article II (4) concerning purchase of grain from developing participating countries.

(4) The Committee shall:

(a) examine the way in which the obligations undertaken under the food aid programme have been fulfilled;

(b) exchange information on a regular basis on the functioning of the food aid arrangements under this Convention, in particular, where information is available, on its effects on food production in recipient countries.

The Committee shall report as necessary.

(5) The Committee may at any time make arrangements for an exchange of views, particularly in order to deal with emergency conditions.

(6) For the purposes of paragraphs (4) and (5) of this Article the Committee may receive information from recipient countries and may consult with them.

ARTICLE IV

Administrative provisions

The Food Aid Committee as set up according to the provisions of Article III shall use the services of the Secretariat of the International Wheat Council for the performance of such administrative duties as the Commit-

¹ Under exceptional circumstances an exception of not more than 10 percent could be granted.

tee may request including the processing and distribution of documentation and reports.

ARTICLE V

Defaults and disputes

In the case of a dispute concerning the interpretation or application of this Convention or of a default in obligations under this Convention, the Food Aid Committee shall meet and take appropriate action.

ARTICLE VI

Signature

This Convention shall be open for signature in Washington from 15 October 1967 until and including 30 November 1967 by the Governments of Argentina, Australia, Canada, Denmark, Finland, Japan, Norway, Sweden, Switzerland, the United Kingdom, the United States and by the European Economic Community and its Member States, provided they sign both this Convention and the Wheat Trade Convention.

ARTICLE VII

Ratification, acceptance or approval

This Convention shall be subject to ratification, acceptance or approval by each signatory in accordance with its respective constitutional or institutional procedures, provided that it also ratifies, accepts or approves the Wheat Trade Convention. Instruments of ratification, acceptance or approval shall be deposited with the Government of the United States of America not later than 1 July 1968 except that the Food Aid Committee may grant one or more extensions of time to any signatory that has not deposited its instrument of ratification, acceptance or approval by that date.

ARTICLE VIII

Accession

(1) This Convention shall be open for accession by the European Economic Community and its Member States or by any other Government listed in Article VI provided the Government also accedes to the Wheat Trade Convention. Instruments of accession under this paragraph shall be deposited not later than 1 July 1968 except that the Food Aid Committee may grant one or more extensions of time to any Government that has not deposited its instrument of accession by that date.

(2) The Food Aid Committee may approve accession to this Convention by the Government of any Member of the United Nations or its specialized agencies on such conditions as the Food Aid Committee considers appropriate.

(3) If any Government not referred to in Article VI wishes to apply for accession to this Convention prior to its entry into force, the signatories to this Convention may approve accession on such conditions as they consider appropriate. Any such approval and conditions shall be as valid under this Convention as if this action had been taken by the Food Aid Committee after the entry into force of this Convention.

(4) Accession shall be effected by deposit of an instrument of accession with the Government of the United States of America.

ARTICLE IX

Provisional application

The European Economic Community and its Member States and any other Government listed in Article VI may deposit with the Government of the United States of America a declaration of provisional application of this Convention, provided it also deposits a declaration of provisional application of the Wheat Trade Convention. Any other Government whose application for accession is approved may also deposit with the Government of the United States of America a declaration of provisional application. Any Government depositing such a declaration shall provisionally apply this Convention and be provisionally regarded as a party thereto.

ARTICLE X

Entry into force

(1) This Convention shall enter into force on 1 July 1968 among those Governments that have deposited instruments of ratification, acceptance, approval or accession by that date provided that the European Economic Community and its Member States and all other Governments listed in Article VI have deposited such instruments or a declaration of provisional application by that date and that all the provisions of the Wheat Trade Convention are in force. This Convention shall enter into force for any other Government that deposits an instrument of ratification, acceptance, approval or accession after the Convention enters into force on the date of such deposit.

(2) If this Convention does not enter into force on 1 July 1968 the Governments which by that date have deposited instruments of ratification, acceptance, approval or accession or declarations of provisional application may decide by mutual consent that it shall enter into force among those Governments that have deposited instruments of ratification, acceptance, approval or accession, provided that all the provisions of the Wheat Trade Convention are in force, or they may take whatever other action they consider the situation requires.

ARTICLE XI

Duration

This Convention shall be effective for a three-year period.

ARTICLE XII

Notification by depositary authority

The Government of the United States of America as the depositary authority will notify all signatory and acceding Governments of each signature, ratification, acceptance, approval, provisional application of, and accession to, this Convention.

ARTICLE XIII

Relationship of Preamble to Convention

This Convention includes the Preamble to the International Grains Arrangement 1967.

IN WITNESS WHEREOF the undersigned, having been duly authorized to this effect by their respective Governments, have signed this Convention on the dates appearing opposite their signatures.

The texts of this Convention in the English, French, Russian and Spanish languages shall all be equally authentic. The originals shall be deposited in the archives of the Government of the United States of America, which shall transmit certified copies thereof to each signatory and acceding Government.

For Argentina:

A C ALSOGARAY

29/XI/1967

For Australia:

KEITH WALLER

27-X-67

For Canada:

A. EDGAR RITCHIE

November 2, 1967

For Denmark:

FLEMMING AGERUP

Subject to ratification 24 November 1967

For the European Economic Community:

L G RABOT, November 28 1967

Belgium:

BARON SCHEYVEN

17 November 1967

France:

CHARLES LUCET

November 27th 1967

Federal Republic of Germany:

K. H. KNAPPSTEIN

17 November 1967

Italy:

EGIDIO ORTONA

20 November 1967

Luxembourg:

M STEINMETZ

16 November 1967

Kingdom of the Netherlands:

C. SCHURMANN

Subject to ratification 16 November 1967

For Finland:

PEKKA MALINEN

November 27, 1967

For Japan:

T. SHIMODA

November 9, 1967

The Government of Japan reserves the acceptance of the provisions of Article II

For the Kingdom of Norway:

ARNE GUNNENG

Subject to ratification November 29, 1967

For Sweden:

HUBERT DEBESCHE

Subject to ratification of the Riksdag. Nov. 22, 1967

For Switzerland:

F. SCHNYDER

Sous réserve de ratification 28 Novembre 1967

For the United Kingdom of Great Britain and Northern Ireland:

PATRICK DEAN

28 November 1967

For the United States of America:

JOHN A. SCHNITTKER

Nov. 8, 1967

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, the arrangement we are considering today consists of two parts—a Wheat Trade Convention and a Food Aid Convention. The Wheat Trade Convention is designed to stabilize the commercial world wheat trade at prices which will reflect the higher production costs which now obtain throughout the world. The Food Aid Convention is designed to implement the Geneva Cereal Agreement under which the principal wheat exporters and importers agreed to provide 4.5 million metric tons of grains annually to needy nations throughout the world.

There has been some controversy with regard to the arrangement we are now considering. The points at issue emerged clearly in the extensive hearings held by an ad hoc subcommittee, of the Committee on Foreign Relations, which was appointed to study and report on the arrangement. The record of the subcommittee's hearings is on every Senator's desk, as is the committee's lengthy report, filed last Thursday, June 6, recommending that the Senate give its advice and consent to ratification of the arrangement.

I shall, therefore, be brief in my comments on the arrangement.

The Wheat Trade Convention—one of the two component parts of the International Grains Arrangement—resembles, and essentially replaces, the last International Wheat Agreement. Under the new convention, exporting nations agree to act as a group to supply a specified share of the wheat requirements of importing nations and to do so within a range of prices established for the major types of wheat. Both

signatory exporters and signatory importers agree to buy and sell wheat at prices within the established range. But unlike the situation under the old International Wheat Agreement, signatory importing countries also agree to buy from nonmember exporting countries at prices consistent with those within the range established by the new convention.

The new convention also differs from the old agreement in that it establishes a price range for major export wheat types at U.S. gulf ports instead of basing prices on Canadian export prices for No. 1 Manitoba. The use of U.S. gulf port prices should have several advantages for the United States, which are spelled out in the committee report.

I should add that the new Wheat Trade Convention affirms and continues the principle that concessional shipments are to be in addition to the requirements of the convention so that the many voluntary and public programs which have been established under the auspices of the food-for-peace program will not be jeopardized. I also emphasize that various administration witnesses assured the ad hoc subcommittee during the hearings held on the arrangement that the arrangement in no way impairs the ability of this country to remain competitive. Specifically, the United States maintains and emphasizes its rights to price below the minimums set out in the convention if it is found necessary to do so.

As for the Food Aid Convention, I have already noted that it will provide 4.5 million metric tons—which is the wheat equivalent of 165.3 million bushels—annually to needy nations. Of this total, the United States will provide 42 percent; the European Economic Community 23 percent; Canada 11 percent; Australia, Japan, and the United Kingdom 5 percent each; and other European signatories and Argentina, lesser percentages.

The executive branch has stated that adherence to the Food Aid Convention will also not have any significant effect on the operation of our own food-for-peace program.

There have been, as I have said, some opposition to the arrangement we are considering today. A number of organizations—principally those involved in processing and exporting wheat—have testified against ratification of the arrangement and others have made their opposition known in writing. I would like to note, however, that more organizations have supported ratification than have opposed it including, let me emphasize, the major wheat producing groups and all but one of the major national farm organizations.

Those who do not believe that the arrangement should be ratified have argued that the arrangement falls short of the original goals of our negotiators; that the arrangement does not include a provision guaranteeing increased access to wheat markets by U.S. exporters and that the arrangement does not specifically provide for the management of wheat inventories.

The committee shares these concerns. However, the committee is persuaded that the arrangement's provisions for

maintaining the price of wheat within the range specified in the arrangement can materially improve the prospect for a desirable level of prices for U.S. producers and thus insure stability in the world wheat market. The committee is also persuaded that failure to ratify the present arrangement would provide the conditions for a major disruption in the orderly marketing of wheat, a disruption which would be detrimental to our commercial wheat exports and thus detrimental to individual wheat producers—more than half of whose production moves into export markets—and to the country's balance of payments.

As far as the Food Aid Convention is concerned, while the level of contributions is only about half of the original goal of our negotiators, nevertheless the acceptance of an international convention dealing with the problem of the food needs of developing countries is an important first step in realizing the goal of a cooperative, multilateral food aid effort. Such a multilateral effort will, hopefully, relieve the United States of some of the burden it has carried for so long and will also establish a trend leading to a progressively wider sharing of this burden.

Mr. President, the two conventions which comprise the International Grains Arrangement promise important benefits to our wheat farmers, to our economy, and to developing nations. The arrangement is certainly not a perfect document—far from it. But it does provide a framework—a forum and the mechanisms—to enable wheat exporting nations to avert the undesirable consequences of an unrestrained export of surplus wheat into world markets which could threaten the stability of this important market.

The Committee on Foreign Relations believes that ratification of the International Grains Arrangement is in the interests of the United States. I most earnestly hope that the Senate will agree and will act accordingly by giving its advice and consent to ratification.

Mr. CARLSON. Mr. President, as we enter into the discussion on the International Grains Arrangement, I wish to stress the importance of agriculture in world trade.

Agriculture is our biggest business—first in assets, first in number of workers, and first in spending on equipment.

Agriculture is also America's biggest exporter. The shipment of farm products abroad in fiscal year 1967 reached the recordbreaking total of \$6.8 billion. Wheat and wheat flour accounted for \$1.4 billion or over a fifth of this total. More than a half of the wheat grown in the United States is exported.

In the International Wheat Arrangement, wheat-pricing provisions were negotiated which are of substantial benefit to the farmers of the exporting nations, including the United States. The other exporting countries wanted to increase minimum prices considerably more than were finally agreed to, while the United States favored an increase to about the levels set forth in the agreement.

The Kennedy round phase of the grains negotiations was concluded on June 30, 1967, with the signing of a memorandum of agreement by the Governments of

Argentina, Australia, Canada, Denmark, Finland, Japan, Norway, Sweden, Switzerland, the United Kingdom, the European Community and its six member nations, and the United States. Subsequently, the representatives of 52 governments met at the International Wheat Conference in Rome from July 12 to August 18, 1967, and developed the final text of the International Grains Arrangement.

The new agreement is a significant improvement over previous versions of the International Wheat Agreement.

As Senators know, it provides higher minimum prices, averaging about 20 cents per bushel above the old International Wheat Agreement prices. It also provides higher maximum prices, for times when world market shortages may develop. For stabilizing prices consistent with the new and higher price range, it provides a better mechanism than that which existed under the old IWA.

This last point is very important. We considered it essential, in negotiating this arrangement, to maintain a balance between the interests of our farmers and the interest of our processors and our traders. A higher price range than in the old IWA would be of significant value to the American farmer. But, if it were too rigid, we could have difficulty at times in meeting competition at or around the minimums.

The old IWA lacked precision as to how minimums were to be handled. There was no time limit for discussions regarding adjustments of the minimum, should this appear to be required. There was no precision in the minimum itself. With only one standard minimum price set for a single type of wheat, it was difficult to pin down whether, and to what extent, any major trading wheat was selling at or below the minimum. Extensive analysis and multilateral discussion would have been required simply to identify what the prevailing prices really were. To add to the possible multilateral difficulties and disagreements, importing countries shared with exporting ones the responsibility for maintaining trading prices at or above the minimum. The views of importing countries thus would have equal status in any discussions concerning possible market actions.

In raising the price range, we recognized the possibly somewhat greater need of having available some better kind of adjustment mechanism during the life of the agreement. The new procedures represent a substantial improvement. Different minimums are specified for each of the major trading wheats so that we can know quickly and accurately the relationship of trading prices to the agreement price range. Adjustments of the minimums are provided for, so that any particular wheat which is temporarily in relative competitive difficulty can be assisted. Definite time limits are stipulated for consultations on price adjustments and other consultations relating to management of the price range.

The agreement is also written in a way which permits a country to price below the minimum as a last resort. That fact, and the definite time limit on adjustment consultations, provide very strong incentives for exporters to find quick and

constructive measures which will ease the difficulties of any particular wheat which is in relative competitive difficulty.

Finally, the new agreement leaves the maintenance of the price range to exporters alone. Disagreements with importing countries whose particular interests might differ at a given moment will be avoided.

Thus, I believe that this new price range mechanism is a real step forward. It represents a careful balance between the interests of our farmers and of our processors and traders. I believe that the new price range mechanism and level constitute a significant negotiating achievement.

Mr. President, the Committee on Foreign Relations often considers treaties, but it seldom has considered one concerned exclusively with farm commodities such as the pending International Grains Arrangement.

Approval of the IGA is a critical action—critical for the fate of the American wheat farmer and critical to the orderly conduct of our international grain trade.

Without an international treaty, there can only be turmoil in the grain export market. Any thinking person knows that under present world conditions we cannot go through the agony of severe price distortions which result when surpluses and shortages plague the international marketplaces. A couple of years ago, we were in a shortage stage, and the old International Wheat Agreement leveled the impact so that all participating nations were protected. This year and in the foreseeable future we face the other extreme—that of worldwide overproduction.

Under conditions of world overproduction—without an International Grains Arrangement—every major exporting nation could slash its export prices to the point where each would suffer severe financial reverses, and no one would really gain an advantage. Besides, some of the principal free world nations—such as Canada, Australia, and Argentina, are also the world's top export

producers of wheat. The lack of an International Grains Arrangement with our allies could cause economic problems which could severely strain existing diplomatic, military, and economic ties with our friends in the community of nations.

The IGA is a pact between nations which is designed to establish a price range—with maximum and minimum levels—for world trade in wheat and a food aid convention in which nations agree to provide food support to less developed countries.

Wheat farmers, themselves, plus the Nation's leading wheat associations and the Department of Agriculture are in favor of enactment of the IGA. With the IGA protecting the minimum price of wheat going into export, the American farmer can receive a more just share in his product returns. A mere 1 cent per bushel gain in our export prices through the help of the International Grains Arrangement, based on annual commercial wheat exports of 350 million bushels, would mean an extra 3.5 million to our wheat farmers and to our foreign exchange earnings as well. Five cents per bushel gain would represent \$17.5 million.

The IGA already has been approved by Canada, Australia, Japan, and seven other smaller nations. Under the terms of the IGA, it will become effective among signatory nations on July 1. However, the instruments of ratification need to be deposited with the IGA treaty center by June 17 in order to be finalized by July 1, 1968.

For these most pressing reasons, and in view of the pressing element involved, I strongly urge prompt affirmative action to place this critically needed international agricultural commodities treaty in effective use.

Mr. President, I ask unanimous consent to have printed in the RECORD the table which appears on page 147 of the hearings.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—ESTIMATED EXPORT PRICE EQUIVALENTS, F.O.B. GULF PORTS OF MAJOR EXPORT WHEATS, 1959-60 TO 1966-67, COMPARED WITH CORRESPONDING IGA MINIMUM PRICES SPECIFIED FOR 1968-69 TO 1970-71

[U.S. dollars per bushel]						
A. U.S. WHEATS						
August-July	No. 2 Hard Red Winter (ordinary)		No. 2 Soft Red Winter		No. 1 Western White	
	Price	Over (+) or below (—) IGA minimum	Price equivalent	Over (+) or below (—) IGA minimum	Price equivalent	Over (+) or below (—) IGA minimum
1959-60.....	1.67	—0.06	1.56	—0.03	1.62	—0.06
1960-61.....	1.69	—0.04	1.59	0	1.63	—0.05
1961-62.....	1.71	—0.02	1.63	—0.04	1.68	0
1962-63.....	1.75	+0.02	1.59	0	1.71	+0.03
1963-64.....	1.80	+0.07	1.72	+0.13	1.80	+0.12
1964-65.....	1.74	+0.01	1.62	+0.03	1.66	—0.02
1965-66.....	1.59	—0.14	1.61	+0.02	1.68	0
1966-67.....	1.80	+0.07	1.75	+0.16	1.80	+0.12
Averages:						
1959-60 to 1966-67.....	1.72	—0.01	1.63	+0.04	1.70	+0.02
1961-62 to 1965-66.....	1.72	—0.01	1.62	+0.03	1.71	+0.03
1962-63 to 1966-67.....	1.74	+0.01	1.66	+0.07	1.73	+0.05
IGA:						
Minimum.....	1.73	—	1.59	—	1.68	—
Maximum.....	2.13	+0.40	1.99	+0.40	2.08	+0.40

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

Mr. CARLSON. I am delighted to yield to the distinguished Senator from Alabama.

Mr. SPARKMAN. I should like the RECORD to show whether or not it is true that the Senator from Kansas has had long and considerable experience in growing wheat.

Mr. CARLSON. I have been growing wheat for years, not in immense quantities. But my father grew wheat, also, so I believe I am familiar with the growing of wheat.

Mr. SPARKMAN. And the distinguished Senator from Kansas is a wheat grower at the present time?

Mr. CARLSON. Presently, I am growing wheat.

Mr. SPARKMAN. The question I wish to ask is this: As a producer of wheat, naturally interested in the welfare of the wheat farmers and in the maintenance of a strong wheat market, does the Senator believe—after considering this convention, sitting in, I believe, in connection with some of the negotiations in Geneva and in the hearings before our committee—that the proposed arrangement is for the good of the wheat farmers?

Mr. CARLSON. Kansas grows, generally speaking, one-fourth of the winter wheat of this Nation. I would not advocate this International Grains Arrangement if I did not believe that it was in the interest of the wheat growers. As a matter of fact, I know of no wheat growers' organization that is not in favor of it. I do not know of any wheat farmers who are not in favor of it.

Sixty percent of each wheat grower's production depends upon the world market as an outlet, and the price levels are significant. They are great factors in the blend price to be spread over the wheat grower's entire production.

I cannot think of anything at the present time that would be more disastrous to the wheat growers than a proposal which would decrease the price of wheat 20 to 23 cents a bushel. No one is going to contend that farmers are overpaid when it costs \$1.35 to \$1.45 a bushel to produce it.

Mr. SPARKMAN. I thank the Senator.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation on the pending treaty, the time to begin at 12 o'clock and to be equally divided, with 1 hour and 15 minutes allocated to the distinguished chairman of the committee and 1 hour and 15 minutes allocated to the minority leader, or any Senator to whom they may delegate authority; the vote to take place at 2:30 p.m.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and, without objection, it is so ordered.

The unanimous-consent agreement subsequently reduced to writing is as follows:

Ordered, That beginning at 12 noon on Thursday, June 13, 1968, debate on the resolution of ratification to the International Grains Arrangement of 1967 (Ex. A, 90th Cong., second sess.) be limited to 2 hours and 30 minutes, with the time to be equally divided and controlled by the Senator from Alabama [Mr. SPARKMAN], and the minority leader, or whomever they may designate, and that the vote on the resolution of ratification occur at 2:30 p.m.

Mr. MILLER. Mr. President, now pending before the Senate is the proposed International Grains Arrangement. It is a treaty consisting of two

parts; the Wheat Trade Convention and the Food Aid Convention.

The Wheat Trade Convention, as the committee report points out, essentially replaces the previous International Wheat Agreement of 1962 as extended by agreement in 1965, 1966, and 1967, with expiration scheduled on July 31, 1968. It differs from the previous International Wheat Agreement in that it establishes a minimum-maximum price range for major export wheat types. The minimum price for U.S. No. 2 Hard Red Winter wheat would be \$1.73 per bushel f.o.b. gulf ports; the maximum price would be \$2.13. The minimum would be about 20 cents per bushel above the level provided under the old International Wheat Agreement.

An article by Norman H. Fischer, staff reporter of the Wall Street Journal, published in that paper on May 27, notes that domestic wheat prices have dropped to near 26-year lows; that a leading grade of ordinary protein hard winter wheat was priced around \$1.51 per bushel in Kansas City—down 20 cents from a year ago and down 10 cents in just the last 4 months. Mr. Fischer observes that even after adding shipping costs from Kansas City to gulf ports, an exporter could buy this wheat for 15 cents per bushel under the minimum price of \$1.73 under the proposed new Wheat Convention. Under the new Wheat Convention, a foreign buyer would have to pay the \$1.73 minimum, and the U.S. Federal Government would pocket the 15 cents per bushel differential.

According to an article appearing in the January 30 issue of the Journal of Commerce, a high USDA official acknowledged that U.S. exporters would be subject to a tax—in the amount of this differential—to be paid to the Commodity Credit Corporation.

The present world price being what it is—some 15 cents per bushel at U.S. gulf ports under the proposed Wheat Trade Convention minimum—it is understandable why some of the proponents might feel that this convention would tend to bolster the low price of wheat. However, as I have pointed out, the differential would not go to the wheat farmer but to the Commodity Credit Corporation. Worse yet—and this is of the greatest importance—a guaranteed increase over the low world market price would assuredly prove an incentive to other countries producing wheat less efficiently than the United States to produce more wheat, with serious implications to our own exports of wheat. Either they will produce more wheat to make up for their own domestic deficit, to avoid paying the higher minimum price, thus reducing the amount we will export to them, or, if their domestic supplies are adequate and they are exporting countries, they will produce more wheat for export to compete with our own exports. The proponents of the treaty have not produced any evidence to rebut this statement. U.S. exports of wheat for the current fiscal year will total approximately 750 million bushels—half our expected domestic crop of 1.5 billion bushels. Accordingly, it can readily be seen how vital it is to main-

tain and, if anything, increase our wheat exports.

According to Mr. Fischer's article, many grain analysts believe 1968-69 exports could decline to 650 million bushels or less—quite apart from the ratification or rejection of the pending proposed treaty. With U.S. wheat carryover stocks on June 30 of this year forecast at around 545 million bushels—up 120 million bushels from a year ago—analysts expect that the carryover on June 30, 1969, could rise another 100 million bushels just from increased domestic production. This is expected notwithstanding the 13-percent reduction in wheat allotments for the 1968 crop because of favorable weather. As Mr. Fischer points out, a Government advisory group has recommended a 15-percent further reduction for 1969 allotments which would result in harvested acreage of 49 million—down 9 million acres from 1967.

Weighing these prospects, I cannot see any basis for optimism that, in the face of increasing carryover stocks, there will be improvement in domestic prices just because of an increase in the minimum world price under the proposed treaty. And these carryover stocks would be further aggravated by reductions in our exports. With all due respect, the proponents of the treaty have not been able to satisfy me on this point. They say that higher minimum prices will add to farm income and will serve the national interest by improving our balance-of-payments position. But they neglect to point out what I have already pointed out—that the differential will go to the Commodity Credit Corporation and not to the wheat farmer in the form of higher prices; and they overlook the fact that a drop in our exports would have an unfavorable impact on our balance-of-payments position.

If anyone has any doubts over what I have said about the danger to our exports of wheat, they should understand that the Common Market, which levies very high duties on imports of grains from the United States, has announced a policy of self-sufficiency in grain production. They cannot produce nearly as efficiently as we can, but they subsidize their grain farmers heavily and use the import duties on our grains as a source of funds to pay the subsidies. Of course, we argue that this is bad economics and means higher prices for the Common Market consumers, but our arguments have fallen on deaf ears. As pointed out by the Foreign Relations Committee's report on page 3, the United States, during the negotiations on the International Grains Arrangement, had three essential objectives. One of these was assured access to the markets of importing countries—especially the Common Market. But because of its inward-looking, protectionist, uneconomic decision to strive for self-sufficiency, the Common Market rejected our request for assured access. With this rejection went one of the pillars on which the proposed Wheat Trade Convention was to be based. The objective of assured access was to protect our wheat farmers' exports, and the failure of our negotiators to achieve it during the Kennedy round means that the pro-

posed Wheat Trade Convention places our wheat farmers' exports in jeopardy.

Let it be made clear that ratification or rejection of this proposed treaty has nothing to do with the tariff reductions arrived at during the Kennedy round of negotiations. At page 20 of the hearings on the proposed treaty, Ambassador William Roth testified that the proposed treaty is "in effect a self-balancing entity and stands on its own feet. If it were not ratified by the United States, if it did not, in effect, come into being, the Kennedy round itself would be untouched."

The other part of the proposed treaty is the Food Aid Convention. Proponents of the treaty say that this establishes a valuable principle in international co-operation in food aid responsibility to needy nations; that it will substantially benefit hungry nations. However, the principle has long been established by the Food and Agricultural Organization of the United Nations, which for over 20 years has been doing increasingly effective work in helping improve the diets of people in hungry nations through international cooperation. The statement that this Convention will substantially benefit hungry nations completely overlooks the fact that there is nothing in the proposed convention to indicate that contributions under it would be in addition to that already being furnished. Our negotiators did, indeed, seek to increase the overall assistance being given needy nations, but their efforts were unsuccessful. Of the major contributors other than the United States now—Canada, Australia, EEC, United Kingdom, and Japan, only Japan would have to make any substantial changes and these would be in the form of shifts from cash loans to cash grants.

As I have said many times over the past year, the Kennedy round of negotiations represented a sellout of American agriculture. The proposed International Grains Arrangement was proffered as a "plus" for agriculture growing out of the negotiations, but on the basis of the analysis I have presented to the Senate, it appears to be a "minus" and in no way whatsoever an offset against the failures of the Kennedy round insofar as American grain farmers are concerned. Accordingly, I shall vote against ratification.

I ask unanimous consent that the articles from the Wall Street Journal and the Journal of Commerce to which I have referred be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 27, 1968]
DEPRESSED WHEAT PRICES SPARK U.S. DEBATE
OVER WHETHER TO RATIFY WORLD GRAINS
PACT

(By Norman H. Fischer)

CHICAGO.—Wheat, which struggled out of the price-depressing surplus problem of the early 1960's, may be headed for trouble again.

Wheat prices have tumbled to near 26-year lows as U.S. production continues to outstrip domestic demand and as foreign competition for export markets gets tougher. Now, to muddle the situation even further, comes sharply divided debate on whether to ratify a world wheat trade pact that U.S. negotiators helped draw up.

Government agricultural leaders are urging ratification of the International Grains Arrangement, hammered out at the tail end

of the Kennedy Round tariff-cutting talks, when, ironically, it appeared that wheat supplies were in relatively short supply around the world. The U.S. signed the pact, but it must be ratified by a two-thirds Senate vote. The pact first must be approved by a subcommittee of the Senate Foreign Relations Committee, which won't meet again until June, and endorsed by the full committee before it reaches the Senate floor.

Under the new agreement, which becomes effective July 1, world wheat prices would be raised about 20 cents a bushel from the level under the old pact that expired last July. Meanwhile, bigger-than-needed crops have pushed U.S. wheat prices below the new minimums, so, if the pact was operating now, an "inverse" subsidy would be needed to balance the price levels.

A leading grade of ordinary protein hard winter wheat is priced around \$1.51 a bushel in Kansas City; that's down 20 cents from a year ago and almost 10 cents since Feb. 1. Even after transporting it to a Gulf of Mexico port, an exporter could buy the wheat for about 15 cents a bushel less than the minimum price called for under the International accord. But, if the U.S. abided by the pact, a foreign buyer would have to pay the minimum, and the Government would collect the difference. Only three months ago the situation was reversed, with the Government paying subsidies when U.S. hard-wheat prices were above world levels.

Promoters of ratification for the International Grain Arrangement argue that formally joining the pact should help boost declining domestic prices, or at least stop their decline. But opponents, including exporters and the American Farm Bureau Federation, think the agreement won't help, and may hurt, prices.

ACREAGE CONTROLS CITED

Exporters note that the U.S. is the only nation producing wheat under acreage controls. Thus, they say, the other 50 countries in the pact will be encouraged by higher prices under the arrangement to grow all the wheat they can while the U.S. is almost sure to cut back acreage for next year's crop. The result: The additional foreign wheat is likely to capture more export markets, either through lower transportation costs or outright undercutting of the agreement's minimums.

In addition, Russia and other Iron Curtain countries aren't expected to be aligned with the pending international pact. They have been selling wheat in world markets cheaply this year, and they threaten to intensify such a competition.

Earlier this year, Government officials said they think wheat exports in the new season starting July 1 could about match the 750 million bushels estimated to be shipped overseas in the current year ending June 30. Exporters and many grain analysts outside of Government, however, believe 1968-69 exports could decline to 650 million bushels or less, depending on weather conditions in other wheat-growing nations where potentially sizable crops could be harvested. Currently, Government publications are beginning to sound the same warnings.

RECORD U.S. CROP SEEN

As debate over the pact heightens Government planners face major price and supply decisions about next year's crop, brought on by the approaching record, or near record, wheat harvest. U.S. wheat carryover stocks on June 30 are forecast at around 545 million bushels, up 120 million bushels from a year earlier. Carryover stock on June 30, 1969, could rise by up to another 100 million bushels, even if exports don't decline by much, analysts say.

The Government will have to decide soon how much to reduce wheat acreage allotments for the 1969 crop in order to halt the forecasted buildup of U.S. supplies. Despite a 13% cut in wheat allotments for the 1968

crop, favorable weather is making for an unexpectedly large prospective harvest. The cut brought the 1968 allotments to 59.3 million acres, but farmers reduced seedings by around 8% to 62.7 million acres.

A Government advisory group has recommended a 15% cut in next year's wheat allotment, which could lead to one of the smallest wheat seedings in several years. Further, there's talk in the trade that the Government may utilize a higher national average yield-per-harvested-acre than previously expected in setting the 1969 acreage limitations.

This could result in a national allotment that would reduce the 1969 harvested acreage to 49 million acres or less. That would be down 9 million acres from the 1967 high and would be among the smallest harvested areas in 15 years. The Government goal is to assure a reduction in the 1969-70 carryover and to firm prices to producers.

Meanwhile, farmers' wheat prices are likely to sag further, and there are some rumors that the Government may increase support prices to offset market declines. However, with the probable change in White House and Agriculture Department administration in January, at least one grain analyst thinks farm prices will have to stand on their own for the time being. Also, there are moves in Congress to reduce funds for Government farm programs.

Agriculture Secretary Freeman, however, is backing one proposal to raise more money for wheat farmers. He wants to amend a bill extending current farm legislation to permit raising the processor-certificate levy above the current 75-cents-a-bushel ceiling according to advances in the parity ratio between farm and industrial income. Millers and bakers, who pay this amount for each bushel they process, naturally oppose the measure, claiming each penny to consumer cost. The extension bill, which also sets the 75-cent rate as a minimum, is before the House for a vote.

[From the Journal of Commerce,
Jan. 30, 1968]

EXPORT TAX SEEN LIKELY ON U.S. WHEAT

WASHINGTON, Jan. 29.—A high administration official indicated today that it is possible that exporters might have to pay a tax to the CCC to keep export prices at or about minimum of new International Grain Arrangement, if it is enacted.

The USDA official said the administration was hopeful that wheat export prices by July 1 would already meet the new international minimum price which on standard type No. 2 hard winter f.o.b. the Gulf would be \$1.73 per bushel.

He acknowledged, however, that if it did not, provisions in the Agricultural Act of 1965 gave the Secretary of Agriculture authority to levy such a charge. The proceeds then go into a pool to be divided up among producers taking part in the Administration's wheat program.

The official also said that in a briefing this morning, between Secretary Freeman and Undersecretary John Schnitzler and representatives of seven grain export companies, the administration would come up with new suggestions for Grain Reserve Policy when they testified at Senate hearings tomorrow morning.

(At this point, Mr. CANNON assumed the chair.)

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. LAUSCHE. What is the understanding of the Senator from Iowa respecting the willingness of grain-producing nations to contribute more in the future than they have in the past to help the Government of the United States

and the citizens of the United States in providing food for the hungry nations of the world? Under the convention, will these grain and food producing nations be giving more than they have in the past?

Mr. MILLER. Mr. President, I wish to say to the distinguished Senator from Ohio that outside of Japan, from a very careful analysis of the other major contributors—Canada, Australia, the European Economic Community, and the United Kingdom—there will be no noticeable change in the amount of their contributions.

As the Senator well knows, some of these countries to which I have referred for a long time have been making available food aid assistance to one of their former colonies. I would cite Africa, as an example. They could continue to do so and this will fit in with the amount of their contribution under the Food Aid Convention.

When one compares what they are doing now with what they would be obliged to do under the treaty, there would be no increase, except insofar as Japan is concerned and this would amount merely to shifting cash loans into cash grants, and not food.

Mr. LAUSCHE. It is my understanding that in the provision of food to the hungry nations of the world, the convention will not provide any greater help from the nations that are able to give it than those nations have given in the past except that Japan, while not giving food, will be giving either by way of money, with which food can be bought, or otherwise, more than it has in the past.

Mr. MILLER. The Senator's understanding is identical to my understanding.

Mr. LAUSCHE. The premise upon which the recommendation for the adoption of the convention is made, among others, is that it will assure access to the markets of importing countries. I wish to address this question to the Senator from Iowa. Did the negotiators in any way succeed in inducing exporting countries to remove artificial restrictions, other than perhaps tariffs, or are the restrictions that have been in existence still in existence; that is, in the imposition of duties, the imposition or giving of subsidies for production, and the giving of subsidies for transportation or otherwise?

Has there been any relaxation against those barriers which have operated against the ability of the American farmers to export their goods?

Mr. MILLER. I regret to have to respond to the Senator by saying not only did our negotiators fail completely in obtaining any relaxation of these barriers in our exports to those countries or their imports of our grains, but if anything, the situation has become worse.

As I recall, subsidies of \$1.50 a bushel are put on some of our grain going into the Common Market and then, the Common Market turns around and subsidizes its inefficient wheat producers, and in order to get the money they use the import duties on U.S. grains.

We said: "For several years the United States has been exporting grains to the Common Market. We would like to con-

tinue to have that percentage of your market, and assured access." Of course, if they had achieved this result, then this possibility of reducing our exports under the pending convention would have been covered by that assurance to our farmers.

This was one of the premises upon which the convention was to have been premised, but it was destroyed by our negotiators insofar as the request for access is concerned.

Mr. LAUSCHE. I wish to identify some of the barriers. I am identifying all of the barriers that have been used against the American farmers being able to expand their exports to foreign countries. They are as follows: They are faced with price supports provided by the foreign country to their farmers.

They are faced with import levies which must be paid by the American farmer if he is to get into a foreign nation in the sale of his products. They are faced by direct import controls. Also export and transport subsidies. Also by bilateral trade agreements which reduce multilateral access to certain commercial markets. Finally, by various two-price systems.

My question is: Although the Kennedy round was intended to liberalize international trade, can the Senator state whether any of these restrictions have been eliminated through the negotiations which have been carried on?

Mr. MILLER. In response to the Senator from Ohio, with respect to grains, feed grains, soybeans, and wheat, the answer is that nothing was achieved. To be fair about this, there were some agricultural commodities—fruits of some kinds, and nuts—on which some of the tariff barriers were negotiated. Reciprocally, I might say—

Mr. LAUSCHE. In the main, though, the barriers were not eliminated. They are still there against the export of grains from this country.

Mr. MILLER. That is correct. But I want to be fair, in responding to the Senator, to point out that there were a limited number of rather insignificant agricultural items on which some of the tariff barriers were reciprocally reduced. I mentioned fruits of some kinds and nuts. But the point I made during the hearings on the Kennedy round, when Mr. Roth was present before the committee, was that about 13 percent of the total volume of agricultural exports in the Common Market from the United States found some relaxation of the tariff barriers. But on industrial manufactured items, it was 60 percent.

That is why I said it was a sellout of American agriculture. Sixty percent versus 13 percent shows what a pitiful result we had on agriculture, and still our policy as stated by former Secretary Herter, and then Mr. Roth to follow him, was that in the Kennedy round of negotiations we would stand firm for really meaningful reductions of tariff barriers on agricultural commodities. But we did not get them. We got a few. I want to be fair about that. But, on grains, we got absolutely nothing. The important thing is that the understanding, the expectation, and the premise that we were going to get a substantial reduction on tariff barriers toward our grain exports was

the pillar on which this very treaty was premised. That pillar was absolutely thrown away and still we are asked to ratify the treaty.

Mr. LAUSCHE. It is a fact, is it not, that neither Russia nor any of the other Communist satellite countries has signed this Convention?

Mr. MILLER. Let me say that is my understanding. I would defer, however, to the Senator in charge of the bill.

Mr. LAUSCHE. That is a fact.

Mr. MILLER. Or to my colleague from Ohio on that.

Mr. LAUSCHE. The fact is that Russia is not a signatory, nor is Rumania, a great producer of wheat, nor any of the other Communist countries. Now, if we have a fixed price, as established in the convention, what is there to prevent Russia and the other Communist countries from breaking into the market and selling below the price fixed by the convention and, thus, taking from the American farmer the market that he might have in exporting his goods?

Mr. MILLER. Well, let me say to my good friend that I am not sure about the breaking of the convention by the Soviet Union or other Communist countries, but I do know that they are not very—

Mr. LAUSCHE. I did not say breaking the convention. I said breaking into the market and selling below the fixed price.

Mr. MILLER. I think that is what the Senator meant by breaking into the market. They would sell below, in violation of the treaty, and that would be breaking the treaty by selling below.

Mr. LAUSCHE. Russia is not a signatory to the treaty, and therefore it cannot break it.

Mr. MILLER. I thought the Senator was assuming that the Soviet Union might get into the convention, although I am sure it will not. The Senator has put his finger on a very strong possibility. He knows that the Soviet Union and the Communist bloc countries are not efficient wheat producers, but, given the time and the extra 20 cents per bushel to go after—as my colleague from Kansas pointed out, a differential of 1-cent per bushel can make a great amount of difference in income to the farmer—they will have a magnificent incentive to increase their production. They have weather problems, as we do, of course, but their wheat production has been going up, even to the extent that a couple of years ago we were able to persuade the Soviet Union to contribute some relatively small amounts of its surplus wheat for food aid.

The trend is, if anything, upwards in Soviet production, but with another 20 cents per bushel incentive I think it would be an attractive thing not only for the Soviet Union and the other Communist bloc countries, but also for France, Argentina, and other wheat-exporting nations.

Mr. LAUSCHE. If the other nations of the world begin to increase their grain products and take away from us a part of our export market, what will be the inevitable result? Our silos will become filled and the—

Mr. MILLER. The price will be depressed.

Mr. LAUSCHE. The price will be depressed. What about the nations that are begging for food? Will the cost of Public Law 480 be increased?

Mr. MILLER. Of course, that depends upon the taxpayers of this country, through their duly elected representatives. The Senator from Ohio knows that right now food aid is costing the American taxpayers approximately \$2 billion a year. Now, whether at a time when we may not have a war on our backs the taxpayers would see fit to support larger amounts, they might very well do so. But here is one thing I think the Senator should understand: We have been giving a great amount of food aid to India and Pakistan. We also have a policy to help them become self-sufficient. It is expected that Pakistan may well become self-sufficient in wheat production within the next year.

Mr. LAUSCHE. Mexican wheat.

Mr. MILLER. It is expected that the Government of India, through its programs, with our assistance, will become self-sufficient in its wheat production within 5 years.

My understanding is that the crop year in India which ended about last month will make India practically self-sufficient in its production for last year. What will happen when those countries become self-sufficient and there is no purpose for our Public Law 480 to export? It will add to our surplus.

Mr. LAUSCHE. Mr. President, when the Kennedy round was initiated, the initiative was to induce the nations of the world to remove trade barriers. The purpose was to establish free trade, believing that all people everywhere, under a free trade policy generally, would be benefited by it.

When the negotiations were had, our country had in mind the elimination of trade barriers. It tried to eliminate them but failed abjectly.

Thus, in my opinion, the real purpose has been identified by the Senator from Iowa, that the great excess of food we are able to produce and export into food importing countries has practically been destroyed by the failure to achieve what was intended when our negotiators first met.

I have great confidence in the word of the Senator from Kansas, and I listened to his argument. I would like to go along with him in this matter, but, frankly, I cannot see my way clear to do so. I concede that the margin of difference in weighing the question is so narrow that one could well come to either conclusion and feel sound in the belief that he was right.

Mr. MILLER. Let me add just one further thought. There have been some very substantial changes in the wheat picture in the last few months. I think perhaps 9 months ago the arguments of the proponents in favor of the Wheat Trade Convention might not have caused as much concern as they do today. When, as I pointed out, there has been a drop of 20 cents a bushel in the domestic price of wheat within a year and 10 cents a bushel within the last 4 months, and a differential of 15 to 20 cents between the world price of wheat and the minimum under this

treaty, I think we had better start reviewing the benchmarks and the basis on which this Wheat Trade Convention was originally proposed.

I am in sympathy with the wheat farmers, with the wheat prices as low as they are. Of course, we have practically the same thing in corn. Soybean prices are not good. But I firmly believe those prices will get worse if surpluses pile up. Surpluses will pile up if our exports go down. Then there will be a further cut in wheat acreage allotments. Then the farmers will be squeezed to the extent that they will have to get more Government payments to keep their noses above water. We do not know what the taxpayer will stand for. There is a limit to how far the taxpayers will go.

I think the best guarantee for the future of agriculture in this country is to make sure that our export picture becomes brighter, and not dimmer. I feel certain that under the Convention, the export picture will become bleaker.

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

Mr. MILLER. I yield.

Mr. SPARKMAN. I have some figures that look very good to me. I would like to ask the Senator about them in connection with his statement.

I have figures here indicating U.S. sales to the Japanese made on June 5, 1968, for 96,000 tons from the west coast. All prices are well above the minimum. For instance, hard winter ordinary, \$1.79 a bushel. Hard winter, \$1.89 a bushel. Western white, \$1.77 a bushel. Dark northern spring, \$1.98 a bushel.

Japan also bought 105,000 tons from Canada on that same date, and above the minimum prices.

I do not quite see how those prices jibe with the statement the Senator just made about wheat prices now having gone to such a low level.

Mr. MILLER. What is the date the Senator was referring to?

Mr. SPARKMAN. The sales were made on June 5, 1968.

Mr. MILLER. I do not know the details. I do not know whether that is the date of delivery or when the shipment was made.

Mr. SPARKMAN. No. I gave the date for delivery. The first tender for shipment was from the 15th of August to the 15th of September.

Mr. MILLER. What grade of wheat was it?

Mr. SPARKMAN. Hard Winter Ordinary, \$1.79. Hard Winter, 11½ percent protein, \$1.86. Western White, \$1.77. Dark Northern Spring, \$1.98.

Mr. MILLER. Can the Senator tell us whether that was the price delivered?

Mr. SPARKMAN. That is the price at west coast ports.

Mr. MILLER. All I can say to my colleague is that, without having a chance to review those, possibly a difference in the grade of wheat had something to do with it. I know that on May 27 I placed in the RECORD an article from the Wall Street Journal, which is a very reliable publication on this subject, pointing out the drop in the overall wheat prices. We have two colleagues who probably know as much about the price of wheat as anybody in the Senate does.

Mr. SPARKMAN. I am sure they do, and I wish they would discuss it; but I have given the figures for sales actually made for shipments out of the United States. All of them are above the minimum. Also, 105,000 tons were sold by Canada to Japan on the same date, above the minimum.

Mr. MILLER. The minimum price I referred to had to do with Hard Red wheat No. 2.

Mr. SPARKMAN. Perhaps one of our two wheatgrowing colleagues could enlighten us.

Mr. CARLSON. Mr. President, I think the record shows that for the last 5 years wheat sales under the International Wheat Agreement have been above the proposal in the International Wheat Arrangement. So it should not be said that this would put it up. It is selling higher, as proven by the statement of the Senator from Alabama.

Mr. MILLER. I appreciate that statement. Let me say I think, however, within the last year there have been some months when the price has been under the old wheat price. However, my point is that the world price today is considerably under the new minimum price for Hard Red wheat No. 2 provided for under the convention. That is what I was talking about. I was not talking about these prices being above the old International Wheat Agreement price. I have been talking about them under the new one.

Mr. SPARKMAN. Mr. President, I have the report issued by the Department of Agriculture entitled "Wheat Situation, May 1968." It shows the monthly average price, month by month. At gulf ports—and that is where this wheat agreement would operate—it shows that in January the price was \$1.69. In February, it was \$1.71. In March, it was \$1.73. In April, it was \$1.68.

That, again, shows the price at gulf ports. That is where the price would be set under this convention. By the way, this is No. 1 Hard Red Winter wheat.

Mr. MILLER. Yes. And the Senator can see from that—I believe he read through April—

Mr. SPARKMAN. I do not have the figures beyond that month.

Mr. MILLER. My understanding is that May will show it substantially lower than those figures. But the point is that these figures the Senator has read, with the exception of one month, are all below the \$1.73 minimum provided under the pending convention.

Mr. SPARKMAN. \$1.71, one month, and \$1.68, one month.

Mr. MILLER. That is 5 cents under.

Mr. SPARKMAN. I do not know what it is in May. But here in June are actual sales that were made, as I said awhile ago, at \$1.79, \$1.76, \$1.77, and \$1.78.

Mr. MILLER. I am glad the Senator brought that up. I think it is a matter of trying to reconcile some isolated sales, really. There may be some other things involved.

Mr. SPARKMAN. I do not claim it has kept up, but as the Senator has said, the average over the last 5 years has been above the minimum.

Mr. MILLER. Now, Mr. President, let us make this point very clear: the Sen-

ator from Kansas said over the last 5 years the average price had been above the old International Wheat Agreement price. He did not say it had been over the minimum here.

Mr. SPARKMAN. I stand corrected.

Mr. MILLER. That is the crux of my point. If we were considering merely an extension of the old International Wheat Agreement, with just one fixed price, I would not be here today talking about this matter. But we are considering something that would increase that price under the old agreement by 20 cents. That is what gives us deep concern.

Mr. SPARKMAN. I apologize to the Senator from North Dakota for detaining him from his speech, but there is another point I wish to bring up, because I think some of the opposition to this proposal, or the opposition presented to our committee, was based upon the statement the Senator from Iowa made with reference to the Kennedy round negotiations. I want every Senator to know that I am far from satisfied with the Kennedy round, certainly as far as poultry and some of the things that we produce down in my section of the country are concerned. But the Senator stated that the only concessions we obtained were on a few little things like fruit and nuts. I read from the report on the negotiations:

About 80 percent of the \$866 million concessions received by the United States were duty reductions. The remaining concessions consisted of binding of existing rates, mainly free bindings.

Over 50 percent of the concessions received were on raw materials such as oilseeds (\$195 million)—

That is not just a little something like fruit and nuts—

tobacco (\$148 million), and tallow (\$66 million). Other concessions included meat and edible offals (\$58 million), fresh and dried fruits and vegetables, including citrus—

As the Senator pointed out—

(\$70 million), and canned fruits including citrus juices (\$87 million).

Here is where those negotiations hit my part of the country, and my State, particularly:

The United States received few concessions on poultry and vegetable oils.

I submit that \$866 million should not be dismissed as just a paltry sum. And, by the way, I think we ought to remember this: We conceded \$860 million. In other words, we got \$6 million, then we conceded. I am not trying to say that those figures offset one another equitably at all. I am just citing those figures because I think they are significant.

As I said, I was not pleased with the final outcome of the Kennedy round, but I do not believe we ought to belittle the negotiations to the extent of forgetting that, whereas we received \$866 million of concessions, we conceded \$860 million.

Mr. MILLER. Mr. President, I ask the Senator this question. He says we received \$866 million of concessions. I am not quite sure I understand what he means. Does he mean we received some reciprocal lowering of tariff barriers covering \$866 million of sales?

Mr. SPARKMAN. No. The very first sentence, I think, makes that clear:

About 80 percent of the \$866 million concessions received by the United States were duty reductions.

Then I read some of the principal items, such as oil seeds, \$195 million; tobacco, \$148 million; tallow, \$66 million; meat and edible offals, \$58 million; fresh and dried fruits and vegetables, \$70 million; and canned fruits including citrus juices, \$87 million.

No other figures are given.

Mr. MILLER. Then what the Senator means, for example, by the figure for oilseeds, \$187 million, I believe he read—

Mr. SPARKMAN. No; \$195 million.

Mr. MILLER. The Senator means that with respect to \$195 million of U.S. exports to those various countries we received some tariff reductions?

Mr. SPARKMAN. Yes.

Mr. MILLER. The tariff reductions did not total \$195 million; it was just some tariff reductions with respect to \$195 million worth of exports; is that not what the Senator means?

Mr. SPARKMAN. I do not believe that is true. I do not know. Let me read the language. It says:

Over 50 percent of the concessions received were on raw materials such as oilseeds—

And so forth. But it refers earlier to 80 percent of the \$866 million concessions received by the United States.

Mr. MILLER. Mr. President, I believe possibly I can resolve the difference between my friend from Alabama and me. He is apparently reading from the results of the Kennedy round with respect to all countries.

Mr. SPARKMAN. That is correct.

Mr. MILLER. What I had reference to was our guaranteed access to the Common Market.

Mr. SPARKMAN. That may well be.

Mr. MILLER. I think that may be the area of difference between us. When I was talking about the fruits and nuts, I was talking about the Common Market.

Mr. SPARKMAN. The Senator may be correct, but I think it is only fair to consider the whole figure.

Mr. MILLER. That is all right, just so we have the complete picture.

Mr. SPARKMAN. Yes.

Mr. MILLER. But the big thing is the grain exports, and we have no access to the Common Market on our grains. The Senator did not read any guaranteed access from the list he just read with respect to the other countries, and it is that pillar, that objective of a guaranteed access on which this pending treaty was premised.

Then, when that was thrown out the window, the ground rule on which this treaty convention was negotiated was destroyed. That was the point I wished to make.

Mr. President, I yield the floor.

Mr. YOUNG of North Dakota. Mr. President, most of the opposition to this grains arrangement comes from the big exporters and people who stand to gain something by lower prices for wheat.

I would be the last Member of the Senate to argue against a higher world

price for cotton, for corn, or for any other American product, industrial or otherwise. That includes the price of wheat. American wheat is selling at far below the domestic prices for wheat in all the major countries of Europe. I shall discuss that subject at length a little later. It is interesting to note that in every major wheat-producing State, every farm organization having a sizable membership backs this agreement. One organization with a relatively small membership in the wheat States is opposing it.

Mr. President, I wish to express my support for the International Grains Arrangement which is now before the Senate.

This arrangement is not all that it should be. Indeed, in many respects it falls far short of the original goals our negotiators sought, when talks began in conjunction with the Kennedy round of trade negotiations.

However, it does represent a far better choice than the situation we would face if we were to reject it and attempt to go it alone in the world wheat market.

There are two major provisions embodied in this agreement—the Wheat Trade Convention and the Food Aid Convention. Since most of the contention and disagreement has arisen over the Wheat Trade Convention, I will devote the bulk of my remarks to that segment.

As I have stated, the Wheat Trade Convention is not all that it should be. Our negotiators sought increased access to the markets of importing countries. Assurance of this was largely denied.

We could hardly be any worse off than we are today. The International Wheat Agreement went a long way toward establishing a stable world price. True, at times the United States and Canada had some controversy or conflict regarding the prices at which they would sell wheat. Canada accused us at times of cutting prices, and we accused Canada at times of cutting prices. But over the long period, the International Wheat Agreement did a reasonably good job of maintaining stable world prices. The International Grains Arrangement will do the same thing.

Some discussion was had, regarding the sharing of responsibility for the control of production to prevent worldwide market gluts. This was not accomplished.

The arrangement does increase the minimum prices for wheat traded under it by about 23 cents per bushel above the old International Wheat Agreement minimums. This fact is basic to our consideration.

This is one of the major reasons why the exporters are opposing the arrangement today. It would provide a little better price for the wheat producers, who are selling wheat at prices that are too low now.

With respect to the controversy that took place a little while ago, the biggest U.S. wheat crop in history is forecast. It is true that wheat prices have tumbled in recent days. Wheat in western North Dakota is selling as low as \$1.11 a bushel. This is about 40 percent of the price it sold for after World War II. The pro-

ducers in North Dakota believe that they are entitled to a little better world price than they would have without any Arrangement at all. This arrangement will provide the farmers of the United States with some small improvement in price assurance, which they badly need at the present time.

The American farmer faces ever-rising costs of production. This has been the case year after year.

Farm debt in this country has doubled in the last 8 years. It now stands at more than \$50 billion.

The inflation that has hit our economy in the past few years has meant two things to the farmer—higher operating costs and, in most cases, lower product prices.

In many instances, farm prices are lower today than they were 20 years ago. This is certainly the case with wheat.

The International Grains Arrangement will provide the farmer with some additional price protection, over and above that presently afforded by the low level price support loan of \$1.25 per bushel.

The farm level minimums under the arrangement will vary depending on location and class of wheat, but it is estimated that they will run about \$1.40 a bushel on a national average.

Wheat is an export crop. Sixty percent or more of the wheat produced in this country must find a market abroad. To make these exports possible in recent years, the Federal Government has maintained an extensive export subsidy program.

The higher world prices proposed in this arrangement will be helpful, in that they will bring American prices and world prices more nearly into line. This means that there may be little—and at times no—export subsidy required to move our wheat into world trade. This will mean a considerable saving to the American taxpayer.

Those opposing the International Grains Arrangement have raised the specter of an export tax. It is true that the Department of Agriculture has the authority to impose an export payment in the event that world wheat prices are higher than those in the United States.

It is also true that Department officials have stated they would make use of the authority, if necessary, to help maintain the terms of the arrangement. Any such payment would be approximately equal to the difference between the world wheat price and the American price.

This is simply the reverse of the export subsidy program. The grain trade has had little objection to the export subsidy payments—except when they felt they were not high enough.

It is a little difficult to understand their current objections, to a mechanism, that would simply continue to assist in the maintenance of price stability in world trade.

The law permitting the use of the export payment, requires that any funds received, be used to offset export subsidies paid during that crop year. If any balance remains after this has been done, it will be distributed to producers who

participated in the wheat certificate program. Thus, the argument, that the farmer gains nothing, if we have to use this authority at times, does not stand up.

Much has been said regarding the possible impairment of the U.S. competitive position in the world wheat market, if this arrangement is ratified. Based on information, top officials of the administration gave the Senate Foreign Relations Committee during their review of this document—it is apparent that we have all of the tools necessary to maintain our competitive position, if we are willing to use them.

It has been argued that under the arrangement, the United States is honor bound to respect the negotiated minimum prices. The opponents point out that this will leave other exporting nations free to undercut us and leave this country in a noncompetitive position.

In this respect, the International Grains Arrangement is an improvement over the old International Wheat Agreement under which we have operated since 1949. This pact does contain provisions for negotiating temporary lower price levels and for moving world wheat trade back to prices within the specified trading ranges.

If these procedures are not effective, there is nothing in the arrangement to preclude any exporting nation—including the United States—from pricing below the minimum prices. Our negotiators have made it crystal clear to other nations that the United States is not going to stand idly by and see its markets lost.

Mr. President, I think we should all take note of the effective work done by the Committee on Foreign Relations in considering and reporting the arrangement to the Senate.

The special committee, of which the distinguished Senator from Alabama [Mr. SPARKMAN] was the chairman, spent many hours reviewing the matter and taking testimony from all interested parties. The members of the subcommittee, the Senator from Tennessee [Mr. GORE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Vermont [Mr. AIKEN], and the Senator from Kansas [Mr. CARLSON], have all studied the subject in great depth.

We owe a special debt of gratitude to the Senator from Kansas [Mr. CARLSON] for his study of the problem and his efforts in behalf of American wheat producers. No one is more knowledgeable on this subject than he. He has worked hard on the preparation of the International Grains Arrangement and for many years on the old International Wheat Agreement.

His keen awareness of the problems of the American wheat producer and the need for some orderly pattern to world wheat trade has always been most helpful to me and many others. The American wheat farmer is deeply indebted to Senator CARLSON.

The wheat farmers will sorely miss him when he leaves the Senate.

I especially commend the distinguished Senator from Alabama [Mr. SPARKMAN]

for his work. We have worked together on a quite similar problem involving cotton. Both wheat and cotton are selling below the cost of production to the farmers. Anything we can do, working together, to provide a better world market, more in line with the cost of production, will be of benefit not only to the farmers but also the entire Nation.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. SPARKMAN. Is not the very heart of the arrangement the objective of making an orderly, stable market for wheat? Is not that what we are really striving for?

Mr. YOUNG of North Dakota. The Senator is correct. The two biggest exporting nations are Canada and the United States. We have used the old International Wheat Agreement for years and have worked together to maintain as good world market prices as we could. Without such an agreement, we would have no guidelines at all to follow.

Mr. SPARKMAN. Of course, this new arrangement includes Australia and Argentina and most of the other wheat-producing countries of the world.

Mr. YOUNG of North Dakota. The Senator is correct. While we would naturally like to have a greater share of the European market than we have, we will not be any worse off than we were before, and in many respects we will be better off.

Mr. SPARKMAN. Are we not much better off having stability in the market, regardless of the price, so that we will know what the price will be and can reasonably predict it?

Mr. YOUNG of North Dakota. This is true. Wheat faces greater problems than perhaps any other farm commodity produced in the United States. At least 60 percent of the wheat must be exported, so it is necessary to depend very largely on the export market. Anything we can do to help stabilize the world price and get the world price a little more in line with the cost of production is to our advantage.

Mr. SPARKMAN. To get an orderly market, with reasonably steady exports.

Mr. YOUNG of North Dakota. That is correct.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. CARLSON. I believe the Senator from Alabama has raised a very good point. It seems that those who oppose the agreement or arrangement forget that 90 to 95 percent of the wheat that moves in world trade has been going through the International Wheat Agreement.

One would gather from some of the statements made and some of the opposition I have read that once we enter into this International Wheat Arrangement, Canada, Australia, Argentina, and other countries will not have to pay attention to it. As a matter of fact, they also are signatories to it. In addition, the importing countries have already agreed in many instances to this price and think it is fair, because they realize the importance of the world wheat in trade as well as its importance as food.

The distinguished Senator from North Dakota has made a very good point. I know of no other Member of the Senate and I know of no one else in the Nation who is more qualified to speak on this matter than the distinguished Senator from North Dakota.

We like to argue with North Dakota as to whether Kansas raises more wheat than North Dakota, but we are willing to share that honor with North Dakota from time to time.

I do not know of any wheatgrower or any group representing the wheat farmers of this Nation—and I ask the Senator whether he knows of any—opposed to this arrangement.

Mr. YOUNG of North Dakota. No, I do not.

I thank the distinguished Senator from Kansas for his kind comments.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. SPARKMAN. I wish to add a word to what the distinguished Senator from Kansas has said about the Senator from North Dakota.

The Senator from North Dakota represents a wheatgrowing State. But I know of no one to whom I would rather risk the fortunes of cotton. We do not grow much wheat in my State. We grow only a little. But we grow a great deal of cotton.

I consider the Senator from North Dakota to be an all-around farmer representative, because he has been that during the years he has served in the Senate.

Mr. YOUNG of North Dakota. I appreciate the generous comments of the Senator from Alabama.

In further reply to the distinguished Senator from Kansas, I know of no opposition to the arrangement from the wheatgrowers. Most of the opposition—and the most vociferous—is from the big exporters. They are not interested in a higher price to farmers. In fact, they can export low-priced wheat more cheaply. They have less money involved and fewer complications. The lower the prices, the better it is for them. I wish they would not be so selfish and would take the interests of the farmer to heart once in a while.

It is worthy of note, Mr. President, that this arrangement has the support of a broad range of farm organizations and producer groups. The National Grange, the National Farmers Union, the National Farmers Organization, and the Midcontinent Farmers Association have all stated their strong support.

Further support has come from the National Association of Wheat Growers, Western Wheat Associates, Inc., Great Plains Wheat, and similar groups. In my own State, the International Grains Arrangement has the strong backing of the North Dakota Wheat Commission which has devoted great effort to the development and expansion of wheat markets around the world.

Some interests have argued that the Soviet Union could be the big winner if the arrangement is ratified. They point out that Russia could remain outside the pact and undersell member exporting nations. This is not the case. Member

importing nations are bound by their commitments to respect the price range set forth in the arrangement even for their purchases from nonmember nations.

Also, it must be recalled that wheat production in the Soviet Union has been very erratic and at times that country has been one of the largest cash wheat markets in the world for exporting nations other than the United States. Their supplies were low a few years ago, and we exported a large amount of wheat to them. Also, they do not deal much in a cash market. Most of their wheat is disposed of through barter arrangements.

Very little has been said of the situation that would exist in the absence of an agreement such as this. I realize that world wheat trade would continue. Beyond that, little is certain.

Since the expiration of the operative provisions of the old International Wheat Agreement almost a year ago, we have seen indications that some nations will resort to price cutting in the absence of any agreement. This could lead to so-called fire sales of wheat.

Since 60 percent of the wheat produced in this country must reach a foreign market, there would be no question but what the United States would have to follow such competition. What would be the result of such a price war? It would simply mean that the American farmer—already hard pressed—would wind up with lower prices, possibly fewer markets, and surely less income.

The March 20, 1968, issue of the Wall Street Journal carried an editorial opposing the International Grains Arrangement. In supporting this opposition, the writer quoted the American Farm Bureau Federation position on the pact.

He stated, that according to the Farm Bureau:

Refusal to ratify would make clear to the world that the United States intends to seek wheat markets throughout the world, selling at the market price on a competitive basis. This would be a step toward returning wheat to the forum of vigorous trade negotiations and away from international supply management. . . .

For the trader or exporter reading the Wall Street Journal—and they never have been friendly to farmers—this reasoning may make sense. For the farmer, facing American prices for equipment, fuel, fertilizer, and repairs, American tax rates, freight rates, and labor costs it offers small comfort.

This type of thinking asks the American wheat producer to accept his return on the world market—whatever that may be—while paying much higher American prices for everything he needs to produce wheat.

The wheat farmers of North Dakota, Kansas, and Texas would gladly accept the price assurances given wheat producers in European nations. The price support level for the 1967-68 wheat crop in France is \$2.50 per bushel. In Germany, price supports are set at \$2.57 per bushel; in Italy, \$2.59 per bushel; Switzerland, \$4.29 per bushel; Norway, \$4.17 per bushel; and Sweden, \$2.89 per bushel.

The price support loan level in the United States is presently \$1.25 per

bushel. Farmers who participate in the wheat certificate program, do receive certificate payments—but even with these—the price assurance offered the American farmer is far lower than that afforded European producers.

It is difficult to understand the reasoning of those, who feel the farmer would be better off selling wheat at still lower prices. That, Mr. President, in the final analysis, is the principal advantage this arrangement offers.

I never thought I would see the day when we would be arguing in the Senate for lower world prices for wheat or any other commodity produced in the United States. This is a new day for me.

It would provide producers some slender additional price protection. This accounts for the broad support it has among farm organizations and producer groups most familiar with the problems of wheat producers. It is also the major consideration in my supporting ratification.

The second portion of the International Grains Arrangement—the Food Aid Convention—implements the Geneva Cereals Agreement, under which principal exporting and importing nations agree to provide 4.5 million metric tons of food grains—165.3 million bushels, wheat equivalent—annually to needy nations. The United States will provide 42 percent of this total.

This is a significant step forward in meeting the needs of hungry people throughout the world. Our food-for-peace program has served well in this capacity and will continue to do so. The United States cannot do this task alone, however. Other nations can and should bear a portion of this load. This would be accomplished under the Food Aid Convention.

Mr. President, again I want to say that this agreement is not perfect. It leaves much to be desired. I do feel very strongly, however, that it does provide some badly needed added price assurance for the American producer, and it does continue a basic structure for world wheat trade that has been relatively effective since 1949.

For these reasons, I feel the advantages outweigh the disadvantages and I strongly urge that the Senate advise and consent to its ratification.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. CARLSON. Mr. President, I wish to commend the distinguished Senator for his statement. However, I have two points I wish to raise. First, there has been considerable discussion on the floor of the Senate and in the press, and there will continue to be, with respect to Russia getting into international exports of wheat. Russia has had problems, but the International Wheat Arrangement has tied up wheat with exporting countries so that the Soviet Union cannot get in with great quantities of wheat. This makes for an orderly arrangement with respect to wheat.

Mr. YOUNG of North Dakota. I agree that that is one of the most important parts of the arrangement.

Mr. CARLSON. I agree fully.

Second, the position of those who oppose the treaty seems to be, "Let us just sell wheat. We do not care what the farmers get for the wheat; just get it on the market; turn it over to the world."

If we adopt that position we will start a wheat price war, which would have an adverse effect on our balance of payments. I could not conceive of anything more difficult than that type situation.

I commend the Senator for his statement.

Mr. YOUNG of North Dakota. The International Grains Arrangement would probably do away with the need for the present export subsidy system most of the time or at least until American prices become higher than they are now. This would result in a great savings to the American taxpayer. I do not see why we should ignore saving the taxpayers a sizable amount of money.

Mr. HART. Mr. President, the International Grains Arrangement appears to me to be in the best interests of the United States.

The International Grains Arrangement will help the wheat producers of this country. More than half of their wheat moves into export markets where it competes with the grain of other producing countries. We need the IGA, now that we are in a period of world overproduction, not only to set up rules and procedures that will prevent wheat price wars but that also will set minimum prices at levels that will give the American wheat producer assurance of a little more income.

The new range of prices in the IGA will be 20 cents a bushel higher than they were under the former International Wheat Agreement. This new, higher minimum should mean higher receipts for our farmers when they sell their wheat.

For instance, for average quality U.S. Hard Winter wheat the new minimum price of \$1.73 at the gulf is equivalent to \$1.35 or \$1.40 a bushel at the farm in the Midwest or Central Great Plains. This is 10 or 15 cents per bushel above the price-support loan. Now all of this makes sense for the American wheat grower, but how about the American consumer? The answer is that any increase in the price of wheat sold into the export market will not have any effect on the domestic price of bread and other bakery products. Under the Food and Agriculture Act of 1965, Congress separated the pricing of wheat used for domestic consumption from that which moves into the export market. So the IGA will have no effect on prices paid by our consumers.

The food aid provisions of the International Grains Arrangement also are praiseworthy.

The IGA provides for a 4.5 million ton annual program of food aid to developing countries. All signatories to the Food Aid Convention will contribute—importing as well as exporting countries. The United States will supply 42 percent of the total; other countries will furnish 58 percent.

We stand to gain in two ways under this food aid program. We will supply some of the grain that importing countries will need in meeting their commitment. At the same time, we will be getting more help from other countries than

before in carrying on our battle against world hunger.

The International Grains Arrangement is a sensible approach to some of our most urgent wheat export problems. I support it and I urge that other Senators support it in order that it may become effective on July 1.

Mr. SPARKMAN. Mr. President, I want to make a few remarks regarding the minority report which was filed in connection with the International Grains Arrangement.

The minority views opposing the International Grains Arrangement makes several claims as to its possible harmful effect. Most—indeed all—of these arguments were heard during the course of hearings on the arrangement before the ad hoc subcommittee. We examined many witnesses on the points raised in the minority report. We submitted many of these criticisms to the Department of Agriculture for detailed and careful examination and their responses are printed in the hearings, beginning at page 23.

I should like to answer briefly the criticisms in the minority report of the International Grains Arrangement for the benefit of Senators who may not have had an opportunity to study the hearings and the report in detail.

First, it is charged that implementation of the Wheat Trade Convention would reduce U.S. wheat exports. This point was covered exhaustively in the hearings. We were assured repeatedly that exports will not be reduced. It was admitted that export sales might at times need to be restrained by cooperative action among wheat-exporting countries in order to hold world prices at the minimum levels. But under the new arrangement there is good reason to expect that wheat exporters will share in the world price stabilizing effort, and that the United States will no longer bear a disproportionately large share of the world stocks-holding burden, as we have in years past.

Proponents have not been so bold as to claim that the agreement will increase U.S. export volume, but it is more likely that our exports will rise rather than fall. Indeed, if other exporters do exercise more sales restraint, as there is reason to expect they will, we should see U.S. export volume actually improved by the new arrangement.

A number of witnesses testified that the convention would not reduce wheat exports:

The U.S. Department of Agriculture's response to a question on this point stated that the arrangement will "not interfere with our maintaining a competitive position vis-a-vis other suppliers, so there is no danger that it will interfere with our continuing to secure a fair share of world trade"—see page 29 of the hearings.

Mr. Harry Graham, representing the National Grange stated:

The arguments that under this kind of an arrangement exports cannot grow is fallacious (see page 108 of the hearings).

Mr. Julius Katz, of the Department of State, stated that—

There is no substance to the charge sometimes heard that international cooperation in the field of wheat prices has restricted

international trade or impeded U.S. wheat exports (see page 113 of the hearings).

He noted that during the past decade world wheat exports have doubled and the U.S. wheat exports, total as well as commercial, have more than held their own—see page 113 of the hearings.

Second, the minority report contends that the convention does not contain firm guarantees of access to markets in wheat-importing countries.

The executive branch did concede during the hearings on the arrangement, of which the convention is a part, that the United States was unable to secure assurances of guaranteed access to wheat markets. Our negotiators tried to get firm access commitments from the EEC and the United Kingdom. However, counterproposals by those countries called on the United States to agree to much higher wheat self-sufficiency rates in the EEC and United Kingdom than is presently the case. This was seen as an import-restricting move, and it was rejected.

Moreover, our negotiators felt that the EEC offer to hold the line on price supports was of little value because of various loopholes in the offer and because the offer was limited to a 3-year period. When our negotiators saw that their demands for access were slowing progress in other sectors of the negotiations, and when it became apparent that no meaningful access assurance was possible, the effort was abandoned. Exporting nations nevertheless believe that other gains made in the negotiations in large measure offset loss of the access demand.

Third, the minority report argues that the convention "could eliminate international competition by setting a price range above the minimum price range in the old International Wheat Agreement," and, should the convention go into effect, "minimum price indicators would most likely be above world market wheat prices."

This contention was thoroughly explored during the ad hoc subcommittee's hearings on the arrangement. The committee's report, summarizing on page 7 the testimony of administration and other witnesses on this point, notes that higher minimums reflect increased wheat production costs and are not out of line with recent trading prices for wheat in the world market, and that setting the minimum closer to actual trading prices would limit downward price fluctuations.

The subcommittee's hearings show clearly what would happen if the price and sales restraint mechanism does not work. Administration spokesmen were asked repeatedly: "Will the United States remain fully competitive in the world wheat market?" The record shows that the United States intends to remain fully competitive and that our membership in the IGA in no way alters our right to do so. We are assured, in other words, that when supply is heavy and world prices press on the minimum, no one exporter shall be disadvantaged. We are assured that all the member exporters understand this, and that all understand that whenever this ceases to be the case, the minimum prices cease to be effective. The obligation to uphold the IGA price range is a collective one. The alterna-

tive is the threat of lower world prices, costly price wars, lower export earnings, and lower returns to producers—and these harmful results would affect all exporting countries. This interpretation of the convention—an interpretation that would allow us to price below the minimum if it became necessary for us to do so—is substantiated by a statement by the General Agreement on Tariffs and Trade, which is included in the hearings at page 114.

In summary, it is the position of the United States that unless all exporting member nations cooperate to maintain prices at or above the minimums, or if these nations cannot agree to make appropriate adjustments in those minimums, then the convention recognizes that an aggrieved exporter nation may unilaterally export wheat at competitive prices—even if those prices are lower than the scheduled minimums. Stated another way, the arrangement does not prevent unilateral action—including below-minimum pricing—to protect one's competitive position. Thus, the United States, as an exporter, in no way surrenders its right to compete or its right to a fair share of the world market.

Fourth, the minority opposing the arrangement contends that, if the convention were ratified, the United States would be required to curtail production to force domestic prices above the minimum or to apply an export tax in order to raise export prices above domestic price levels.

The May 1968 Wheat Situation predicts that the 1968 U.S. wheat crop may be about the same size as last year's record 1.5 billion bushels. Acreage, both this year and in 1967, has been higher than in recent years, following poor crops in most of the world's producing areas and sharp reduction in our carryover stocks. U.S. production responds more to our supply outlook than to the minimum price provision of such an arrangement.

The National Advisory Committee on Grains was reported recently to have urged a 15-percent reduction from the current 59.3 million acres for next year; this would mean a harvested acreage of something like 50 million acres in 1969, more nearly in line with the average acreage for the period 1961-65. The United States did increase acreage sharply in 1967 in the face of a reduced carryover and immediately following 2 years of poor overseas production.

With respect to the possibility that an "export tax" may be imposed on exports, should our prices fall below the minimum, the Department of Agriculture has informed the committee that it has authority—under the 1965 Agriculture Act—to require the purchase of certificates to bring the export price of wheat up to the convention's minimum—see page 24 of the hearings.

Fifth, it is argued that the U.S. competitive position would be endangered "if other exporting countries did not comply with the minimum indicators as scrupulously as the United States," and that "experience under the old International Wheat Agreement indicates this would happen."

The position of our negotiators during the Geneva talks—discussed in the hear-

ings at page 114—shows that the United States is willing to cooperate with other exporting nations in following the procedures set out in the convention in order to maintain prices within the schedule. But it also is clear that the United States has made its position known that it would not hesitate to price below the minimum if the procedures in the convention were not adhered to in such a way as to maintain the minimum price level.

The U.S. wheat-export position during the old International Wheat Agreement fared very well indeed. Our wheat exports increased from 300 million bushels in 1949 to some 750 million bushels this year. Our exports for dollars increased from 46 million bushels in 1949 to nearly 300 million bushels in 1966—under the International Wheat Agreement.

Mr. Harry Graham, of the National Grange, testified before the ad hoc subcommittee considering the arrangement that, during the 1966 "wheat war" between Canada and Australia:

We got into it and we won our battle, too, and we taught some of the other countries in the world who were in this wheat market to stay.

Further, Mr. Graham said:

I do not think we are going to have trouble with the violation of these floors in the future . . .

Sixth, the minority views state that, since the Wheat Trade Convention establishes minimum prices in terms of U.S. gulf port prices, "minimum prices for ports of other exporting nations could be calculated in a manner to give them a competitive advantage."

The Department of Agriculture responded to a question on this point raised by the subcommittee during the hearings. The Department's reply stated that the gulf position as a basing point was used "simply because the gulf is open to oceangoing vessels at all times during the year and thus provides a more appropriate starting point for the translation of the various minimum prices" than was the Canadian Lakehead position in the old agreement. The Department's statement can be found in the hearings at page 26.

Seventh, the minority report contends that the convention's price schedule "could also quickly induce increased production in other countries less efficient than that of the United States."

Under Secretary Schnitzler, in his testimony before the subcommittee, page 17, spoke to this point. He said:

Importers have recognized the increased costs of production and have accepted the increases in the minimums. They realize that the new levels are generally below prices which they had paid for wheat in recent years. Inasmuch as these past trading prices have not greatly stimulated wheat production, there is no indication that the new minimums will affect internal wheat production policy around the world.

The Under Secretary's view was shared by Mr. C. Allen Tom, who testified on behalf of the National Wheat Associates, and Great Plains Wheat, Inc.—page 154.

In fact, Mr. President, exporters will not increase production—unless justified by growth in the world market—because the arrangement places upon all of them

the primary responsibility for maintaining a stable world price. Importers will not raise production because their costs and internal price-support levels are already far higher than the proposed IGA minimums, and to significantly increase production would require further increases in their support levels and internal prices to consumers.

Eighth, the minority report states that the United States "now has a superabundant supply of wheat" and the capacity to expand production, and that "our national goal should be the export of 1 billion bushels of wheat each year."

U.S. carryover of wheat projected for July 1 is about 545 million bushels. A year ago it was 425 million. These carryovers are small compared with the 1.1 billion bushel average for 1960-64. U.S. carryover of wheat reached a record 1.4 billion bushels on July 1, 1961.

Whether or not the 1 billion bushel export goal is a realistic one, in view of the recent good turnout of wheat in India and Pakistan, is open to question. Most of the export potential today appears to be in developing countries, where there is a shortage of foreign exchange. Any great increase in wheat exports to these countries would likely have to involve heavier Public Law 480 shipments.

The United States is currently exporting about 50 percent of its production of wheat. U.S. exports for the current season—through March 31—account for about a third of the total exports of wheat by the five largest exporters, which are the United States, France, Canada, Argentina, and Australia.

Ninth, the minority report claims that the Wheat Trade Convention will bring lower incomes for U.S. producers. This contention is apparently based on the assumption that our exports will be reduced and that the export certificate—if applied—would depress U.S. prices. But, I have already explained that the IGA need have no effect on our export volume. And as far as price is concerned, it is much more likely that the convention will act to strengthen prices rather than depress them.

The basic underpinning for our domestic prices is the loan rate and our internal supply-demand balance. To the extent that the new agreement is made to work, and its price floor is made meaningful, we will have added an important additional measure of underpinning, for as I understand it, the farm-equivalent of the IGA price floor is about \$1.38 per bushel, whereas our loan rate is presently only \$1.25 per bushel.

Tenth, it is claimed in the minority report that "ratification of the IWTC would establish an unfortunate precedent for future international trade negotiations."

This argument was consistently denied by the administration witnesses who testified before the subcommittee. Furthermore, international commodity agreements must be considered by the Senate, and I have no doubt that each will be considered on its own merits.

Eleventh, the minority report argues that the Wheat Trade Convention "places no limits on the import duties which foreign nations may impose on U.S. wheat" and that the convention

"legitimizes the excessively protectionist policies of the EEC and removes any contractual obligation on the Community's part to refrain from increasing import restrictions as it sees fit."

Certainly the rejection of the Wheat Trade Convention would not bring about a solution to the serious problem which the opposition cites. A recent New York Times article reported that as recently as April 30, our negotiators at Geneva called on the General Agreement on Tariffs and Trade to reform the "border taxes" which constitute a major barrier to trade. The subject is under study by a GATT study group, and we can hope that constructive measures will proceed from that study.

Finally, the minority report charges that the Food Aid Convention "does not exceed current levels being provided by the signatory nations."

While the level of contributions under the Food Aid Convention has been criticized as being about half the amount of the original goal of U.S. negotiators, nevertheless it establishes a valuable principle—the principle of international cooperation in food aid to needy nations, the major burden of which in the past 20 years has fallen most heavily on the United States. Multilateral food aid has long been a goal of the United Nations, and the United States has strongly supported the principle.

Contrary to the claim made in the minority report, the arrangement calls for importers and exporters to participate in such efforts on a much larger scale than they have before. In the past, with the exception of the United States, only in emergency situations have a few other countries ever approached the level of food-aid contribution scheduled in the new IGA. The recognition of the need for a broader sharing of food-aid responsibilities among the industrialized countries is one of the important benefits of the new arrangement.

Mr. President, I ask that the resolution of ratification be stated.

The PRESIDING OFFICER. Without objection, the International Grains Arrangement will be considered as having passed through its various parliamentary stages up to the point of the consideration of the resolution of ratification, which the clerk will read.

The bill clerk read as follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the International Grains Arrangement 1967, open for signature in Washington from October 15 through November 30, 1967.

LEGISLATIVE SESSION

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate return to legislative session.

There being no objection, the Senate resumed the consideration of legislative business.

ORDER FOR ADJOURNMENT TO 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, it is my understanding that after the Journal has been disposed of tomorrow, the distinguished Senator from Arizona [Mr. FANNIN] will be recognized for up to one-half hour. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS ON TOMORROW AND LIMITATION OF STATEMENTS THEREIN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the conclusion of the remarks of the Senator from Arizona [Mr. FANNIN] there be a period for the transaction of routine morning business up to 12 o'clock, and that statements made in connection therewith be limited to 3 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16489) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes that the House receded from its disagreement to the amendments of the Senate numbered 10 and 12 to the bill and concurred therein.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15190) to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12639) to remove certain limitations on ocean cruises.

THE POOR PEOPLE'S CAMPAIGN

Mr. COOPER. Mr. President, since May 12, a group of our fellow citizens have been in Washington engaged in the Poor People's Campaign, seeking to bring to the attention of the Congress, the

executive branch, and the country their plight and the plight of thousands of others in our country for whom they raise their voices.

Their campaign has been questioned for various reasons. There has been concern that the group or some of its members would adopt methods of demonstration and dissent which go beyond the right of free speech and petition and intrude upon the rights of others—practices which are unlawful and cannot be condoned, if the processes of our free system of government are to be maintained. There has been concern about violence and rioting.

It has caused concern that a stay of long duration would affect adversely the business and activities of those who live and work in Washington—and that it would inhibit the visits of other citizens to the Capital of all the people.

It is my view that such concerns could be largely avoided in the future if the authorities having jurisdiction would set out publicly and in advance the regulations which would govern such assemblies, their duration, and provisions to assure order for the benefit of the people of Washington, its visitors, and the work of the Government.

These authorities are the Congress, the officials of the city of Washington, and the Secretary of the Interior, having jurisdiction respectively over the Capitol Grounds, the city of Washington, and the Park System of the Department of the Interior.

But, Mr. President, I speak today about the importance of the Poor People's Campaign. I do not believe the Congress or the country can afford to ignore its deep significance. It is a symbol, simple but moving, of the poverty in our country.

I have visited Resurrection City twice, once with my wife, and once with a group of Members of the Congress under the leadership of Senator EDWARD BROOKE, a group formed as an informal committee to do what it can to establish communication with Dr. Abernathy and the leaders and the members of the poor people's group, and to urge necessary action by the Congress.

Resurrection City is a living demonstration of the way thousands of our fellow Americans live in our rich and prosperous country. The shacks are uniform, and they represent the uniform lack of adequate and sanitary housing for many of our people. Looking inside those shacks, crowded with people, one sees the actuality of the crowded living conditions of many in our land, without the decencies which most of us take for granted. The village itself, without adequate sanitation, adequate water for drinking, bathing, and the washing of clothes, is typical of many communities in our land and of large sections of our city.

One needs only to see and talk to the people to find that the great majority are without education, without training, without understanding of our Government, except to believe and feel that it does not understand them, and that it is not doing all that it can to help them.

The movement has been largely free

of disorder. Dr. Ralph Abernathy and his colleagues, despite careless remarks, have expressed their faith in nonviolence and are doing their best to provide devoted leadership. Some of the people in this city of poverty express their hope and faith that the Government and the country will understand their living conditions and move quickly toward their betterment.

It would be a serious and tragic matter if this group of people should leave Washington, and return to their communities throughout the Nation without having had the fullest opportunity to present their pleas to their Government, and that they should leave believing they have not been heard.

Some departments of the executive branch and some committees of the Congress have heard representatives of the Poor People's Campaign. I urge those departments of the executive branch, and those committees of the Congress which have not heard these people, to take the initiative, to invite Dr. Abernathy and delegations reasonable in number, to come before them, to describe the conditions in which they live, and to make their proposals for action by our Government.

Throughout the Nation, as in my own State, the living conditions of the majority of the people have improved immensely since World War II. Many have become well-to-do, prosperous, and even rich, and for that we are glad. But there are thousands without decent housing, sufficient food, or proper education and training. This, I believe, is a major cause of their frustration and sense of hopelessness—a cause which is dividing our country.

I know that Congress has done a great deal in past years to assist those who do not have equal opportunity and those against whom discrimination has been practiced. But more must be done. Congress and the Government are beginning to act to help our fellow citizens. The Poor People's Campaign has had its effect, but there are millions of people in our country who do not know how the poor live.

I take no special knowledge of that except for the fact that as a candidate for office over a number of years, and one who has traveled to every section of my State, who has gone year after year through the eastern part of Kentucky which lies in that area known widely as Appalachia, I have seen these conditions as early as 30 years ago.

I served as county judge in my county of Pulaski in eastern Kentucky, on the fringe of Appalachia. It was in the years of the depression that I saw daily, hundreds of people without funds for clothing, food, medical care, or even for the burial of members of their families. In the years that have passed, I have gone year after year through my own county and through the eastern section of Kentucky. I have said many times on the floor of the Senate that while the living conditions of the great majority of the people in that area have improved immensely, there is a group who live worse, who are in a worse condition, who are

poor, who are more hopeless than they were during the depression of the 1930's.

There are many causes for that, but I shall not elaborate on them today. Some are a result of their own lack of initiative, and some a result of their unwillingness to work; but, in the main, it is because of their ignorance, their lack of education, their lack of training, their lack of opportunity. This condition, I know, is reflected all over the United States.

I repeat, I believe there are millions of people in this country who have never seen or have any idea of how the poor people of this country live. They would not understand it if they saw it. Much must be done. All that I say today is what I have said earlier, that it would be a tragic matter if the people in the Poor People's Campaign leave Washington with the belief that they have not been heard, that they have not presented their petitions fully to Congress and to Government, petitions which they have the right to make under the Constitution, and which we should hear as a matter of humanity and decency.

That is why I speak today. I make my plea that the least Congress and the executive branch can do for these people who have come to present their petitions, is to hear them.

COMMENDATION OF SENATOR HIRAM FONG'S ADDRESS ON "PEACE—OUR OVERRIDING STAKE IN ASIA"

Mr. CARLSON. Mr. President, in this period of traditional commencement addresses on our Nation's campuses, I wish to call attention to a singularly noteworthy speech delivered by my distinguished friend and colleague, the senior Senator from the State of Hawaii [Mr. Fong].

On June 5, Senator Fong spoke on "Peace: Our Overriding Stake in Asia," a subject of timely importance, discussed by one uniquely qualified for this task.

Senator Fong's message received enthusiastic response and a standing ovation from the audience assembled for the commencement exercises of C. W. Post College and the graduate schools on the Merriweather Campus of Long Island University.

On this occasion, Long Island University conferred on Senator Fong an honorary degree of Doctor of Humane Letters. He was cited for devoted service to the people of Hawaii, for his outstanding accomplishments as statesman and leader, and for his example of determination and self-help.

I ask unanimous consent to have Senator Fong's address printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

PEACE: OUR OVERRIDING STAKE IN ASIA
(Commencement address by Senator HIRAM L. FONG, Hawaii, at C. W. Post College and Graduate Schools on Merriweather Campus, Long Island University, Brookville, N.Y., June 5, 1968).
Chairman McGrath, Chancellor Hoxie, Members of the Board of Trustees, Distinguished

Guests, Members of the Faculty, Candidates for Degrees, Ladies and Gentlemen, Friends: May I first extend my greetings in the traditional Hawaiian way—Aloha! With that beautiful word I can best express the feelings that flow from my heart, for Aloha conveys friendship, goodwill, understanding, all the warm and human sentiments.

I am delighted to share this memorable day with you and to have the pleasure of delivering the Commencement Address. I want to convey my heartfelt gratitude for the Honorary Degree of Doctor of Humane Letters which your University has bestowed on me. To be associated with you as an honorary alumnus of Long Island University, one of the six largest private universities in America, is for me a high privilege and a cherished distinction.

I must confess that to receive an advanced degree in so pleasant and easy a manner—without going to classes, without study, without examinations, without anxiety—leaves me with some feeling of embarrassment, knowing how hard and how long you have worked for your degrees. I congratulate you on earning your diplomas the hard way.

Here on this beautiful Merriweather Campus, and in the C. W. Post College—named for the distinguished parents of Mrs. Marjorie Merriweather Post—we are witnessing a remarkable resurgence of private higher education. It reflects highest credit on all who have contributed to its growth, and especially its principal benefactress, Mrs. Post.

Guided by a forward-looking Chancellor and supported by generous friends, Long Island University has launched a "Decade of Destiny"—a ten-year development plan to improve quality as well as to expand in size.

In a time when private higher education is declining all over the Nation, this is both commendable and challenging. I am confident that you, as alumni, will do your part to assure the success of these enterprising plans. For the sake of our national life and future generations of Americans, private universities must strengthen their position in order to fulfill their distinctive role in American education, so indispensable to the preservation of academic freedom and to the advancement of the human mind and spirit.

On this graduation day, I surmise all you young men and women must feel some anxiety and apprehension as you contemplate the turmoil and tumult convulsing our Nation and the world. Perhaps you feel somewhat discouraged and overwhelmed by the enormity of the tasks ahead and by the failure of those preceding you to solve the ills that still plague America today.

To you, I say: "Cheer up. Take heart." Remember, your parents faced enormous difficulties and uncertainties when they were your age. But they made tremendous progress against very persistent obstacles. They did not solve all the problems. They did not create Utopia. But they did make astonishing gains—and you can, too.

When your parents were your age, America and her allies were fighting for the very survival of the Free World in the bloodiest war in history. The forces of Hitler, Mussolini, and Tojo marshaled everything they had in a desperate effort to conquer the major free peoples of the world—and they came perilously close to succeeding.

It was all-out war, climaxed by the V-bombs over Britain and by the kamikaze attacks on U.S. forces in the Pacific, and every American was involved in this epic struggle. No community, no institution escaped the impact of World War II.

Your own University nearly collapsed. From a prewar high of more than 1000, enrollment dropped to a low of 307 in 1943. The full-time faculty dwindled to a mere two dozen. On a single day in 1943, some 200

students received their draft summons. Of the 1300 alumni of your University, 1100 already were in the Armed Forces. Creditors forced the University into reorganization and court-appointed trustees took control from the chartered trustees.

Gradually, the tide turned and, in 1945, America and her allies were victorious both in Europe and in the Pacific, only to face the enormous problems of post-war adjustment. To go from the fever-pitch of all-out mobilization to a peacetime economy was a task of prime magnitude. Defense jobs dropped off sharply, and returning servicemen wondered where they would find employment. True, there were huge pent-up demands for civilian goods, but it took time to re-tool for the civilian market.

Meantime, millions of ex-servicemen took advantage of the GI Bill of Rights, and an army of veterans swarmed into the classrooms. It was this increased enrollment that saved the day for Long Island University, affording the opportunity to recover and to attain its present growth and stature.

In those days, Europe and much of the Asia-Pacific theatre were in ruins. It is to the everlasting credit of your parents' generation that they elected to assist the vanquished in rising from the ashes of defeat to become strong, viable democracies. The significance of this magnanimous and far-sighted decision on the part of your parents' generation cannot be overestimated. Under them, America accepted a new role—that of leader of the Free World.

Twice since World War II, America has gone to the rescue of free peoples under armed attack from outside their borders. So, America helped to save South Korea and now is seeking to help save the fifteen million people of South Vietnam.

But you say, "Three wars in less than 30 years. What a dreadful record." And I say, "Yes, three wars. But your parents' generation did not start any war—not World War II, not Korea, not Vietnam."

And the record shows, your parents' generation routed Nazi and Fascist totalitarianism in Europe; helped transform war-devastated Europe into a prospering community; saved Greece and Turkey from Communism; forestalled Communist expansion in Free Europe through the Atlantic Alliance; helped convert war-shattered Japan into a dynamic democracy which now ranks as the third major industrial power in the world.

With U.S. help, South Korea recovered from war and now experiences stability and economic progress. The Philippine Islands were granted independence and have enjoyed self-government for more than 20 years. Taiwan stands on her own feet economically, obviating the need for more economic aid from the United States. Today, Taiwan is a living showcase of progress. Indonesia has thrown off a massive Communist threat and is now working hard for economic and political recovery. Thailand and Burma have a breathing spell from direct aggression in which to make economic and social progress.

All this under your parents' generation.

Here in the United States, this same generation achieved a remarkable recovery from the upheaval of World War II and the Korean War. They mastered the problem of producing enough food for our own people, with enough left over to feed millions of other people. They managed to provide jobs for 75 million Americans and produced the highest standard of living of any people in all history.

Your parents' generation evidenced a deep social conscience, providing more job security and fringe benefits for workers, more economic security for old people through social security improvements and medicare, more assistance for deprived children through Head Start and antipoverty programs, more safeguards for the freedoms of Americans,

particularly in the field of civil rights. In reality, your parents' generation has been a generous and noble one.

Their very successes, however, produced some worrisome by-products. Rising affluence has been accompanied by an alarming rise in crime, drug addiction, rebelliousness and lawlessness, in empty leisure for too many, in tensions and anxieties evidenced by greater mental illness and widespread consumption of tranquilizers.

Inevitably, too, the Vietnam war has caused dislocations and divisiveness. It has diverted much attention and resources from urgent domestic needs and deferred the hour of solution. We are not ignoring our daily problems, but obviously we are not making as much progress as we could if there were no war.

Peace in Vietnam, inflation, hard-core unemployment, shortage of low-income housing, overcrowded cities, polluted water, dirty air, highway safety, the threat of guerrilla warfare—these are problems your parents and I endeavor to cope with today, problems you are inheriting.

There is the missile gap, the dollar gap, the have and have-not gap, the education gap, the culture gap, the generation gap, the credibility gap. Serious as these are, there is another, more pervasive gap—which, for want of a better term, I call the people-to-people gap.

The crowning paradox of our time is that as the world becomes smaller, the gaps among peoples appear to grow larger.

The world is shrinking in so many ways—by speedy transportation, by instantaneous satellite-TV and the "hot line," by burgeoning travel, business, and other direct interchange. Yet the lack of mutual understanding and mutual trust among the world's races and the world's nations persists as the widest and most unfortunate gap.

Within our country's borders and within our cities, despite the unifying factors of rapid communication and transportation, Americans seem to suffer an estrangement, a sense that we are not a united people working toward common goals.

Schisms can be seen in ethnic, economic, and geographic distinctions. White and black rich and poor, urban and suburban. Such differences have long been with us. But how sharp the differences today! And how demanding the cry for swift solution!

We wonder whether our country can endure the forces pulling and tugging at the fabric of our society. We know the status quo simply will not suffice.

My friends, history gives us hope. We have only to recall the manner in which America overcame the many problems that flooded our land when immigrants flocked to our shores. Throughout the growth of our Republic, each wave of immigrants encountered massive problems of assimilating into the culture to which they came. For most—speaking a strange language, eating strange foods, wearing strange clothing, confronted with strange mores, far from home and familiar surroundings—the experience was traumatic and the transition long and arduous. But with persistence, patience, diligence and industry, each group eventually melded into the New World environment and won acceptance as full-fledged Americans.

For those who came from Asia, the transformation from immigrant alien to American was particularly fraught with hardship. Americans almost totally oriented toward Europe were not nearly so ready to welcome aliens from a non-Western culture. But in Hawaii and in the great western regions of the continent, an expanding economy needed hardy laborers, and the poor people of Asia needed jobs. So despite the disparity of cultures, Asians came in large numbers to Hawaii and the West Coast. While for many long years, U.S. law barred Asians from nat-

uralization because of their ethnic origin, their children became Americans by birth on American soil. Eventually, the saga of the European immigrants was matched by the Asians: the so-called "unassimilables" were assimilated.

Today, the Negroes remain the largest minority group still seeking acceptance as full-fledged Americans. Landmark legislation during the past decade has sought to ensure equal rights for them in many fields, and this effort is continuing. Employment and education opportunities have been greatly expanded in recent years. Discrimination in many areas no longer exists, and, where it does, conscientious efforts are being made to wipe it out.

As of today, however, the economic gap is too wide for too many Negroes to feel they are living in a land of opportunity. With jobs at a living wage, with decent housing, with better education, Negroes will be able to attain their rightful place in the sun as full partners on the American team.

With persistence, patience, diligence, industry, responsibility, and good will by all, Negroes and non-Negroes, I am confident full acceptance will come, not only to Negroes but to other minority races as well.

My friends, America's human resources are our greatest assets. With only six per cent of the world's population, America has been able to outdistance all other nations. If we are to maintain that lead through the end of this century, when we will have but four per cent of the world's population, necessity requires that the potential of each and every American, regardless of race, be fully realized. Every person with ideas, skill, labor, know-how, whatever his talents may be, is an asset to our country and has some contribution to make.

Even as a speck of earth adds to the height of a mountain and a drop of water adds to the volume of a river, each contribution, though as small as a speck of earth and as tiny as a drop of water, adds to the height and the volume of human progress.

Turning to our relations with other countries, without question the biggest people-to-people gap for Americans lies in the Asia-Pacific region, where more than one-half of the world's three billion three hundred million people live.

More and more today we hear cries that, once the Vietnam war is over, America should pull out and stay out of that area. We are told America has few ties that bind us with the peoples of Asia, that we have no business exercising leadership there, that we are already overburdened with worldwide responsibilities, and anyway Asia is a remote and alien world apart from ours.

It is a siren song to ignore Asia and to concentrate our attention on areas, such as Europe and the Middle East, where our traditional ties are older and stronger. The way some people sing the lyrics, it is a call to neo-isolationism, which I believe is neither practical nor wise.

It is only natural that Americans, having borne unmatched burdens since World War II, should want to lay down at least some of those burdens, especially at this time of so many urgent needs on the home front. Having contributed more than \$127 billion to postwar recovery and economic development in emerging nations and having carried the major burden of assisting South Korea and South Vietnam defend themselves against aggression, Americans are understandably weary. The cost in American lives and in American dollars has been very high, and many question whether the results have been worth the cost.

Understandably, too, Europocentrism still runs deep among Americans. For the foundation of American civilization is deeply rooted in Europe and not in the Asian world. The Atlantic Ocean is a river, but the Pacific is

still a vast ocean separating America from Asia.

What is forgotten by many Americans is that we have been deeply involved in Asia from the early days of our Republic.

Our Nation became a Pacific power just before the Civil War, when Commodore Perry opened Japan to the outside world. At the turn of the century, America acquired the Philippines from Spain, Hawaii by annexation, and Alaska by purchase from Russia. Alaska extended U.S. boundaries to within two miles of Asia, and Hawaii extended our borders into the mid-Pacific. America's geographic link is much, much closer to Asia than to Europe.

Advocacy of an open door policy in China and the trade and commerce that flowed from this formed another link in our growing chain of interests in Asia and Pacific affairs.

Our governance of the Philippines, World War II in the Pacific, the U.S. occupation of Japan, and the war in Korea further embedded America's stake in Asia. Vietnam is the latest chapter in a U.S. saga that dates back two centuries.

We have, on occasion, tried withdrawal from Asian affairs, to our subsequent dismay and regret.

In the late 1940's, lack of sufficient American support for free China made much easier the Communist takeover of mainland China. Replacement of the regime in China friendly to the United States by a Communist regime hostile to us was a major calamity. We are still paying a dear price for that costly error—in Korea and Vietnam particularly.

In 1950, the U.S. Secretary of State omitted South Korea from our Nation's defense perimeter in the Pacific. As this had the plain appearance of U.S. withdrawal from Korea, North Korean troops soon moved south, and the United States went to war to prevent a Communist takeover.

Thwarted in conquering South Korea, the Communists turned their attention to Southeast Asia. Tibet was overrun. Forays against India and Pakistan were militarily inconclusive, but showed the probing and expansionist posture of Red China. Some Asian leaders were awakened to the real threat in Asia and this was helpful in strengthening the will to resist Red China's military aggression.

In 1954, Indo-China was partitioned and the French forces pulled out, leaving a power vacuum which the Communists quickly tried to fill. Since then there has been an indecisive struggle to capture Laos and an intensive Communist struggle to take over South Vietnam, a free and independent Nation.

It is plain that withdrawal of the U.S. presence from vital Asian areas on the periphery of China and Korea later proved very costly to us. This experience should warn us against isolationism now.

The United States has sacrificed too much blood and treasure at Pearl Harbor, Leyte Gulf, the Coral Sea, Midway, Guadalcanal, Iwo Jima, Pork Chop Hill, Inchon, Hill 881, Khe Sanh, Dak To, Loc Ninh, Con Thien, to consider retreat into isolationism in the Pacific and Asian area. Whether we like it or not, the repercussions of events in Asia do impact upon us. Were we to abandon our concern for peace and progress in Asia, we would forego the opportunity to influence events there in our national interest and security.

Both Red China and the non-Communist nations of Asia are closely watching to see what America will choose to do.

If America decides to let Free Asia "go-it-alone," this would be an open invitation to Red China to move in. France long ago pulled out of Asia, and Britain has announced its intention to pull out in the next few years. At the present time, only America provides a strong shield for free Asian countries.

So, if America perseveres, Red China's leaders will be forced to reassess their war-of-

liberation strategy and to re-think their policies.

While checkmating the aggressor in Vietnam may not persuade Asian Communists to abandon their war-of-liberation policy elsewhere, the cessation of war in South Vietnam will give that beleaguered land, as well as other Southeast Asia nations, the crucial opportunity and the critical time to build up their strength, to institute social reforms, to develop political stability, and to form regional cooperative arrangements.

Leaders of nearly every non-Communist country in Asia are alert to the dangers posed by Red China, support U. S. policy in Southeast Asia, are grateful for the U. S. shield, and are accelerating their progress toward strength and viability.

For years Red China has sought to prove to the world that its way of life is the "wave of the future." But reports of the upheaval and bloodletting in Red China during the Great Proletarian Cultural Revolution last year have shown the Communist "paradise" is far from it. The Bamboo Curtain is splitting, and through the cracks the people on the outside, particularly neighboring nations of Asia, are seeing a far different picture.

Widespread realism in the wake of the Red China Proletarian Cultural Revolution, with the internal and external threats it posed, resulted in a drawing together of Southeast Asia nations for collective security. Five nations—Malaysia, Singapore, the Philippines, Indonesia, and Thailand—founded the Association of Southeast Asia Nations.

Japan initiated several moves aimed at uniting the region in some sort of free trade area. Meanwhile, the Asian Development Bank—to which the United States subscribes millions of dollars—continued its efforts to promote essential economic development in Southeast Asia.

Mounting hope is replacing despair. Confidence is replacing fatalism. Spirit is replacing apathy, as Asians see what some of their brethren—in Taiwan, South Korea, and the Philippines—have accomplished through their own industry and diligence and with assistance, moral, material, and financial, from others.

Once peace is established in Vietnam and threats to other Southeast Asia nations are thereby diminished, a new era of progress and growth can be forecast.

Peace can be the salvation of Asia.

The benefits to flow from peace in Asia, not only to nations rimming the Pacific, but also to nations on the other side of the globe, stagger the mind. One has only to think of the potential for trade, industry, education, jobs and investment, food production, and the potential for enriching the cultures of the world, to realize what a salutary development peace and progress in Asia would be.

The material gain would be matched—perhaps surpassed—by the spiritual gain as men learn to live in amity and concord, in dignity and self-respect, in trust and in faith.

To America a strong, free, healthy, viable Asia is as important as a strong, free, healthy, viable Europe or Latin America, Middle East or Africa.

Self-determination and territorial integrity are fully as justified in Asia as in non-Asian regions.

Peace and justice are as imperative in Asia as in non-Asian areas.

Peace—this is the overriding stake America has in Asia.

Drawn into three major wars in Asia in less than 30 years, America must do everything possible to attain an enduring peace in the Asia-Pacific arena.

Can peace in Asia be achieved through a policy of neoisolationism? Highly unlikely.

If there is to be peace in Asia, America will have to devise policies that promote peace. This means involvement, not isolation.

This does not mean we must be policeman for the world. It does not mean getting involved in every squabble and border incident.

It does not mean international paternalism nor colonialism.

It means encouraging self-reliance and self-help. It means helping developing nations with loans and technical assistance. It means helping to eradicate disease and ignorance through health measures and schools. It means building ties of mutual respect and mutual goals. It means encouraging democratic institutions, social reforms, and freedom for all peoples. It means closing the people-to-people gap.

Some of you may already have taken part in promoting people-to-people contacts through your University's program with its sister University, Chung-ang, in Seoul, Korea, and through other international projects—all reflecting your University's motto "Urbi et Orbi," City and World, and your concern with the wider world beyond the campus, city, State and Nation.

I cannot emphasize too strongly that all Americans must turn their eyes toward the emergence of the Asia-Pacific era, for history is being written there on a large and significant scale, and this history affects all of us.

Along with your contemporaries, you who are graduating can, and should, help shape what could well become the Renaissance of the Asian-Pacific world. With the courage and vigor of your generation, you can help spearhead the break-through of a new Asian era.

You will not be alone in this task. Millions of Asians yearn for the dawn of peace and are eager to join hands with you in building the new Asia, in closing the gap that has separated East and West through the centuries. More than my generation or any other in history, you and your peers will know the full meaning of one world.

For if the history of the past 30 years teaches anything, it teaches that the world is very interdependent and that America cannot be guaranteed peace even if we withdraw into Fortress America and ignore all other peoples.

So if peace is what you want for yourselves and your children—and I am certain it is—you and your fellow Americans will have to take positive steps toward a peaceful world, not only in Asia but around the globe. Should you and I, the people of the United States, the leader of the Free World and the strongest nation on earth, falter or abandon the struggle for peace, what hope is there for freedom, liberty, human dignity, human betterment for mankind?

We are the strength, the hope, the promise for billions of human beings on this planet. For ourselves and for them, we must persevere.

In this hour when our will and our spirit are severely tested, perseverance in the cause of peace and humanity will speed the day of peace for all mankind.

An ancient Chinese adage says: "If planning for one year, plant rice. If planning for twenty years, plant trees. If planning for a hundred years, plant men."

You, today's graduates, are tomorrow's planners and planters. Plan for a hundred years. With your fellow men, plant the seeds of peace and reap the harvest.

To all of you, my warmest best wishes, Godspeed, and aloha.

S. 3637—INTRODUCTION OF NATIONAL FIREARMS REGISTRY ACT

Mr. BROOKE. Mr. President, it is with a sense of urgency combined with deep sadness that I rise today to introduce, once again, a bill to provide for national registration of firearms. It was less than a month ago that I introduced similar legislation, commenting at the time that in the course of our labors in the Senate

we sometimes have the disquieting sensation that "too little, too late, is always our fate." Never has the tragic truth of this observation been more apparent than it is now.

Gun control legislation is a classic example of the inertia which affects us when great issues linger before us, the subject of frequent and careful review. Needless to say, I admire methodical progress on matters of great concern to our citizens. I welcome full and frank debate, and I welcome the opportunity to participate in such proceedings. But we should not permit unending deliberation to frustrate action entirely. Our respect for the diversity of views and the depth of legitimate considerations in the Congress and the country should not be taken as a mandate for timidity in meeting the questions before us. Surely, after so many terrible consequences of our failure to act decisively, the Senate is prepared to take firm and responsible action. I know the country is prepared for it.

Mr. President, I have no intention of reiterating the points which I made in my previous remarks on this subject, nor in belaboring the observations which have already been made so eloquently by many of my colleagues. But some facts are worth repeating, for they seem not to have been comprehended by those who claim, even now, that legislation which would regulate—not limit, but regulate—the availability of firearms is unnecessary.

Thirty years ago, a nationwide poll revealed that 84 percent of the American people favored registration of firearms. The latest poll, taken in 1967, reveals a similar fact—85 percent of the American people still favor firearms registration.

The outpouring of popular support for such legislation which has been evident in the last few days is another clear indication that the vast majority of Americans are deeply and legitimately concerned. I have received well over 1,000 letters in the last 3 days, all advocating strong gun control measures. Editorial comment in the major newspapers has strongly endorsed more stringent firearms regulations. As the Washington Post so cogently commented:

The frontier has passed from American life. Americans now live in much too close proximity to each other to leave guns lying around at random for their mutual destruction.

Mr. President, I am appalled at the grimness of a recent tally, which indicated that the number of deaths by firearms in America in this century is 1½ times the number of American deaths in all our wars in the same period of time. We are quick to deplore the rising casualties in the war in Vietnam, and they are deplorable. But is it not equally lamentable that there were more than 5,000 homicides by firearms in this country last year? Is it not cause for concern that in Houston, Tex., alone, there were more than six times as many murders by firearms as in all of Great Britain?

I am sympathetic to the argument advanced by many of my colleagues that gun controls would not prevent those who are determined to commit a crime

from doing so. Guns do not make murderers carry out their grim and fatal task. But they do make it easier for them to do so. The availability of firearms in this country, the free and easy manner in which they may be obtained by even the most reckless or unstable of individuals, is a definite and unfortunately increasing threat to the safety of all our people.

Mr. President, the bill which I am introducing today would not make these weapons any less available to legitimate sportsmen or to citizens who, for one reason or another, feel they require the somewhat dubious protection which a loaded weapon provides. Indeed, this bill imposes no regulatory controls at all. The legislation which I propose would, however, make it unlawful for any manufacturer, importer, dealer, or pawnbroker to transfer any firearm to any person unless he forwards to the principal law-enforcement officers of the locality in which the transfer occurs and in which the transferee resides, and to the firearms registry to be established in the Department of the Treasury, a registration statement. No individual could transfer any firearm without also registering with the appropriate law-enforcement officers. And finally, every individual who presently owns a weapon would be required to register it within 1 year of the enactment of this legislation. In short, this bill would provide a comprehensive and current inventory of firearms privately owned in this country.

This does not seem to me to be an unreasonable requirement. With more than 2 million firearms being sold in this country every year, such legislation would provide law-enforcement officials with a reasonably accurate count of who owns guns and where these weapons are located. It would make it possible to provide a check on these weapons and to trace them should they be used for illegitimate purposes. A person who purchases weapons for illegitimate purposes, giving a false name or address, could be more easily traced if the purchase were recorded by the local police. An individual with a police record, or with a history of confinement for mental illness, might reasonably be recognized through such a registration process. A weapon which was stolen could be reported, and could be more easily recovered if detailed information on its characteristics were available to law-enforcement officers. The advantages to legitimate owners of firearms are infinite. The advantages to the general public should be equally obvious.

So long as a sizable portion of the domestic trade in weapons takes place in a nether-land where registration is either inadequate or nonexistent, the effectiveness of any firearms laws will be seriously in question. State and local firearms registration will help, but it will not be sufficient. With a population as mobile as ours, with 20 percent of our urban population changing residence every year, there is a pressing need to create a suitable central depository for firearms registration data, to which State and local law-enforcement agencies would contribute, and would have suitable access.

I believe that prompt consideration

and enactment of a National Firearms Registry Act are in the best interests of every American. I believe that the legislation which I am now introducing is an essential complement to the bill which has been introduced today by the Senior Senator from Connecticut with numerous cosponsors, of which I am pleased to be one.

Mr. President, I send the bill to the desk, and ask that it be printed in full at this point in the RECORD.

Finally, Mr. President, I ask that a speech recently delivered by the Lieutenant Governor of Massachusetts, the Honorable Francis W. Sargent, be printed in the RECORD. It is a statement which I heartily endorse, and which I believe will be of interest to all my colleagues.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and the speech will be printed in the RECORD.

The bill (S. 3637) to provide for the establishment of a national firearms registry, introduced by Mr. BROOKE (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3637

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the National Firearms Registry Act.

SEC. 2. (a) It shall be unlawful for any manufacturer, importer, dealer, or pawnbroker within any State to sell or otherwise transfer any firearm after the effective date of this Act to any person unless such manufacturer, importer, dealer or pawnbroker forwards (1) to the principal law enforcement officer of the locality in which the transaction occurs; (2) to the principal law enforcement officer of the locality in which the transferee resides; and (3) to the firearms registry to be established in the Department of the Treasury by U.S. registered or certified mail (return receipt requested) a registration statement in such form as the Secretary shall prescribe containing the following information:

(A) the name, age, address, and social security number, if any, of the person purchasing or otherwise acquiring such firearm;

(B) the title, name, and official address of the principal law enforcement officer of the locality in which such person resides;

(C) the name of the manufacturer, the caliber or gauge, as appropriate, the model and the type, and the serial number identification, if any, of the firearm; and

(D) a true copy of any permit or similar document required pursuant to any statute of the State or published ordinance applicable to the locality in which such person resides.

(b) It shall be unlawful for any person within any State, other than a manufacturer, importer, dealer, or pawnbroker, to receive any firearm obtained by him by purchase, gift, or otherwise, after the date of enactment of this Act, other than by the first purchase of such firearm in good faith for purposes other than resale, unless such transferee forwards to the principal law enforcement officer of the locality in which such transferee resides a registration statement in such form as the Secretary shall prescribe containing the following information:

(A) the name, age, address, and social security number, if any, of the person purchasing or otherwise acquiring such firearm;

(B) the title, name, and official address of the principal law enforcement officer of the locality in which such person resides; and

(C) the name of the manufacturer, the caliber or gage, as appropriate, the model and the type, and the serial number identification, if any, of the firearm. Any local law enforcement officer designated to receive such a registration statement shall forward a true copy of any such statement received to the firearms registry to be established in the Department of the Treasury by United States registered or certified mail (return receipt requested). The Secretary is authorized to make whatever arrangements he deems necessary, including the dissemination of public information, to effect the policy of this section.

(c) Any person owning or possessing any firearm purchased or otherwise obtained prior to enactment of this Act shall, within one year after enactment of this Act, file with the principal law enforcement officer of the locality in which such person resides a registration statement in such form as the Secretary shall prescribe containing the following information:

(1) the name, age, address, and social security number, if any, of the person owning or possessing such firearm;

(2) the title, name, and official address of the principal law enforcement officer of the locality in which such person resides; and

(3) the name of the manufacturer, the caliber or gage, as appropriate, the model and type, and the serial number identification, if any, of the firearm. Any local law enforcement officer designated to receive such a registration statement shall forward a true copy of any such statement received to the firearms registry to be established in the Department of the Treasury by United States registered or certified mail (return receipt requested). The Secretary is authorized to make whatever arrangements he deems necessary, including the dissemination of public information, to effect the policy of this section.

(d) The provisions of this section shall not apply to the sale, other transfer or ownership of any firearm to or by (A) the United States or any department, independent establishment or agency thereof, (B) any State or any department, independent establishment, agency or any political subdivision thereof, (C) any duly commissioned officer or agent of the United States, a State or any political subdivision thereof, in his official capacity; nor shall such provisions apply to any transactions between manufacturers, importers, dealers, or pawnbrokers licensed under the enactment of chapter 44 of title 18 of enactment of the United States Code.

Sec. 3. (a) The Secretary shall establish and maintain a register identifying each firearm reported to him pursuant to the first section of this Act. Such registry shall be established in consultation with the Director of the Federal Bureau of Investigation in order to insure coordination between the registry and the National Crime Information Center.

(b) In order to carry out his responsibilities under this section the Secretary is authorized to obtain and use the most modern and efficient automatic data processing equipment for the storage, analysis and retrieval of information contained in the registration statements furnished to the firearms registry to be established pursuant to this Act.

(c) The Secretary is authorized to issue, amend and revoke such regulations as he deems necessary to carry out his functions under this Act.

Sec. 4. (a) Any person who violates the provisions of this Act or any regulation issued thereunder shall be subject to a penalty which, in the case of the first offense shall be an amount not to exceed \$100, in the case of the second offense by the same person shall be an amount not to exceed \$1,000, and in

in the case of a subsequent offense by the same person shall be an amount not to exceed \$5,000.

(b) Whoever knowingly and willfully makes a false statement on any registration statement required to be forwarded under this Act shall be deemed to have violated the provisions of section 1001 of title 18 of the United States Code.

Sec. 5. Only upon the request of a law enforcement agency of a State, political subdivision thereof, or of a Federal department or agency shall the Secretary furnish information contained in the registry established pursuant to this Act and such information shall be furnished only to the requesting party.

Sec. 6. As used in this Act—

(1) The term "person" includes any individual, corporation, company association, firm, partnership, society, or joint stock company.

(2) The term "firearm" means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device. Such term shall not include an antique firearm or an unserviceable firearm possessed and held as a curio or museum piece.

(3) The term "destructive device" means (A) any explosive or incendiary (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces (iv) missile, (v) mine, or (vi) similar device; (B) any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive, the barrel or barrels of which have a bore of more than seventy-eight one-hundredths inches in diameter; or (C) any combination of parts designed and intended for use in converting any device into a destructive device. The term "destructive device" shall not include (i) any device which is not designed or redesigned or used or intended for use as a weapon, (ii) any device, although originally designed as a weapon, which is redesigned for use or is used as a signaling, pyrotechnic, line throwing, safety, or similar device, (iii) any shotgun or rifle, (iv) any firearm designed for use with black powder, regardless of when manufactured, (v) surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, of 4686 of title 10 of the United States Code, (vi) any device which the Secretary finds is used exclusively by the United States or any department or agency thereof, or (vii) any other device which the Secretary finds is not likely to be used as a weapon.

(4) The term "importer" means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution.

(5) The term "manufacturer" means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution.

(6) The term "dealer" means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, or (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms.

(7) The term "pawnbroker" means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

(8) The term "antique firearm" means any firearm of a design used before the year 1870 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1870;

but not including any weapon designed for use with smokeless powder or using rimfire or conventional center-fire ignition with fixed ammunition.

(9) The term "State" includes each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(10) The term "Secretary" means the Secretary of the Treasury.

The speech presented by Mr. BROOKE is as follows:

STATEMENT BY LT. GOV. FRANCIS W. SARGENT, CHANNEL 2, "OPINIONS IN CONFLICT" PROGRAM, MAY 14, 1968

Gun control means crime control.

Control—not elimination. I don't pretend that any laws could have saved the lives of President Kennedy or Martin Luther King or that we can have overnight utopia in America by passing new legislation.

I do say that when the richest nation in the world cannot make its streets safe for its people, when you and I are afraid to walk from corner to corner by day or by night in big city or small town, when America is turning into an armed camp—then we have to do more than we're doing.

I said an armed camp. Estimates of how many guns there are in America range from 50 million to 200 million—no one even knows the correct figure! We do know that every year 2 million domestic and 1 million imported guns are sold, meaning 10,000 guns reaching private hands every working day. We do know that in the first four months of this year 23 hundred more gun licenses were issued in Massachusetts than in the same period last year and that applications for licenses in Boston have doubled during that same period. And we do know that this state's eleven hundred gun dealers sold enough guns of all kinds last year to equip 13 infantry divisions—about 56,000 men.

I said an armed camp—and I meant it.

I am not a lawyer, not a gun law expert. I'm an office holder, but I've been a hunter since the age of 16, an ex-Army rifle marksman, an infantry officer, and the owner of a sporting goods store that sells guns along with fishing rods and boats, and I'm urging gun control in America. I am not concerned with the hunter or the target shooter. They don't worry me. They are sensible, law-abiding men. I am concerned with men who are not.

And I am not concerned about Massachusetts gun laws. They are stringent and effective. I wish every state would copy them—because I can drive 30 miles from here to New Hampshire tonight, tell a man behind a counter that I live in Nashua, and walk out with a gun in my pocket, ready to kill a man for twenty dollars in cash and three hours in time.

I think we have to do much better than that.

I recommend these things:

A national law requiring manufacturers and importers to put a serial number on all firearms of any description. There is no such requirement now and many guns have no identifying number.

A national law requiring that serial numbers be recorded when guns are sold so that their ownership can be traced.

A national law forbidding handgun ownership by felons, addicts, mental incompetents and minors lacking parental permission.

Uniform laws in all states requiring a license to carry a handgun.

Stronger penalties including mandatory jail terms against those committing crimes of violence while using or carrying a gun.

My stress has been on handguns because they are concealable and therefore most dangerous.

And I am aware of the argument that criminals can always steal guns. The fact is

they don't need to. It's too easy to buy them. Out of 45 hundred and six guns recovered by police from criminals over an 8 year period in Massachusetts, exactly 6 had been stolen. Eighty-seven percent of them had come from Maine, New Hampshire, Vermont—where gun laws are more lenient.

In 1966, guns were used in 6500 murders, 43,000 serious assaults, 50,000 robberies. Three quarters of a million people have been killed in our country since 1900 by privately owned guns—a third again as many as were killed in all our wars.

I've spoken now about five minutes. In that period, in five minutes, 25 serious crimes have been committed in America. While I've been talking, 2 murders, forcible rapes or assaults to kill have happened, 1 robbery has been committed, and more than 5 larcenies have taken place.

Before this hour-long program is over, 2 fatal shootings will have taken place, for there are about 50 of them every day in America.

Would gun control mean crime control? I think the answer is obviously yes.

GUN CONTROL

Mr. RIBICOFF. Mr. President, the assassination of Senator Robert F. Kennedy is tragic evidence that America needs stronger gun control legislation.

In the last 5 years, we have seen a series of shocking demonstrations of why this legislation is necessary.

First, a President was murdered, shot down with a high-powered rifle. Then a great civil rights leader was shot to death, again the victim of a high-powered rifle blast. Now a U.S. Senator—and a candidate for the highest office in the land—has been gunned down.

Since the turn of the century, 750,000 Americans have died as victims of firearms.

I can well understand President Johnson's concern when he said last week:

What in the name of conscience will it take to pass a truly effective gun control law?

Tougher gun control regulations must be imposed. We have all heard the argument opposing these regulations. "Guns do not kill people," the statement goes, "people kill people." That is true enough. And no gun control legislation, no matter how rigid, will insure that our Nation's leaders—or any of its citizens—will not be shot down by a gunman's bullets.

But gun control legislation will make revolvers, rifles, shotguns, and other weapons less readily available. It is too easy for those of unstable psychology and violent inclination to arm themselves with lethal weapons. It is too easy for hoodlums and criminals to buy guns.

And therefore it becomes easier for people to kill people. We must take steps to regulate the sale of weapons. It is incumbent upon us to act now.

Recently, the Senate adopted legislation barring the interstate mail-order sale of handguns. The House has also approved this measure. It is action in the right direction. But it is not enough by any means.

There are two more steps we must take. And we must take them as soon as possible.

First, we must pass legislation extending the interstate mail order prohibition to long guns—that is, rifles and shot-

guns. We have already moved to stop the mail order sale on handguns because of the threat such interstate traffic poses. Logic, requires, then, that we apply the same bar to mail-order long gun purchases.

Second, we must pass legislation making it necessary for gun owners to register their guns with designated authorities.

Neither of these measures is unreasonable. Both are now before the Senate in legislation. I am cosponsor of the bill.

For the protection of all our citizens, we must prohibit once and for all the sale of any gun through the mail. Weapons of this nature must be purchased in person. That is fundamental.

We require that automobile owners register their cars with the proper authorities. We require the registration of boats—and many communities even require the registration of bicycles. The minor inconvenience, it seems to me, is far outweighed by the added protection that is afforded to all citizens.

It is, for instance, an inconvenience to register a car too but we have found through experience, that it is in the best interests of the Nation to have a record of each and every automobile on our streets and highways.

The indiscriminate sale of guns must be checked. It is clear there are too many Americans with intent to kill loose in the Nation. To protect the people of this country we need to impose certain restrictions on the sale of guns.

I urge my colleagues in this body—and Members of the House of Representatives as well—to adopt stronger, more realistic measures to supplement the gun control bill we recently passed.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATION BILL, 1969—CONFERENCE REPORT

Mr. MONRONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16489) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. McGEE in the chair). The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings, page 16956).

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MONRONEY. Mr. President, I wish to make a relatively brief statement on the conference on H.R. 16489, the Post Office and Treasury Departments appropriations bill for fiscal year 1969.

The conference report contains a total of new budget—obligational—authority in the amount of \$1,780,653,000. This amount is \$179,232,000 under the 1969 budget estimates; \$2,853,000 over the House bill; \$400,000 under the Senate; and \$122,898,000 under the 1968 appropriations made to date. The conference allowance is under the 1968 appropriations as a result of the increase in postal revenues anticipated in 1969 due to the recent postal rate increases.

I wish to point out, however, that the grand totals of titles I, III, and IV, new budget—obligational—authority and title II, authorizations out of the postal fund, amounts to \$8,158,477,000. This latter amount is an increase of \$612,836,000 over 1968; \$179,232,000 under the 1969 estimates; \$2,853,000 over the House, and \$400,000 under the Senate bill.

TREASURY DEPARTMENT

For the Treasury Department, the conference bill contains new budget—obligational—authority of \$1,007,960,000, an increase of \$1,310,000 over the House bill, \$8,956,000 under the 1969 estimates, \$400,000 under the Senate bill, and \$86,073,000 over the 1968 appropriations made to date. Major changes in title I occurred in connection with the U.S. Secret Service. The Senate had added authorizing language and funds in the amount of \$2 million to the Secret Service, salaries and expenses, appropriation to provide for the extension of protection to major presidential and vice-presidential candidates and to authorize assistance to the Secret Service by other Government agencies in its protective assignments.

Subsequent to the passage of H.R. 16489, the Treasury, Post Office Departments appropriation bill, by the Senate, the House and Senate passed House Joint Resolution 1292, which provides permanent legislation for the protection of candidates, and for assistance to the Secret Service by other Government agencies in its protective assignments. In this connection, I ask unanimous consent to have printed in the RECORD the text of the letter from the General Counsel of the Treasury to Representative STEED, dated June 10, 1968.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HON. TOM STEED,
Chairman, Subcommittee on Treasury, Post Office and Executive Office,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: In response to an informal request of your Committee staff, this is to inform you that in my opinion the authorization to the United States Secret

Service to furnish protection to major Presidential and Vice Presidential candidates, and assistance by other Government agencies in its protective responsibilities, which is contained in Sections 1 and 2 of H.J. Res. 1292 (P.L. 90-331), constitutes permanent legislation.

Sincerely yours,

FRED B. SMITH.

Mr. MONRONEY. Mr. President, House Joint Resolution 1292 also appropriates \$400,000 for the fiscal year 1968. This was signed by the President and became Public Law 90-331.

In view of the subsequent legislative action, the Senate amendment which authorized such protection and assistance is no longer required. However, additional funds are still needed to carry out these responsibilities for fiscal 1969 and the conferees agreed that \$1.6 million be added, of which \$500,000 be in the nature of a contingency amount, to be used only

if the original estimate of \$1.1 million should fall short of meeting the needs for the protection of the candidates. If it is not used for the protection of the candidates, it will remain unused by the Secret Service. In order to accomplish the above, the conferees agreed to strike the Senate amendment, restore the House language, and increase \$19.3 million as proposed by the House to \$20,900,000. It is the understanding of the conferees that the legislative history of the Senate amendment, which was expressly treated by the Senate as being incorporated into its subsequent consideration of House Joint Resolution 1292, be deemed to be a part of the legislative history of the same provisions as enacted into permanent law in Public Law 90-331.

POST OFFICE DEPARTMENT

The House receded to the Senate on Senate amendment No. 7 which increases

the appropriation for "Research, development, and engineering" by \$1 million. Thus the Bureau of Research and Engineering is allowed \$35 million to advance and accelerate its research and engineering programs in lieu of the \$34 million as proposed by the House.

COMMISSION ON OBSCENITY AND PORNOGRAPHY

The conferees agreed to the Senate position in connection with the newly created Commission on Obscenity and Pornography and the full budget estimate was allowed. This action provides the Commission with \$643,000 to continue its investigation of the traffic in obscenity and pornography and to determine whether more effective means should be devised to control transmission of such materials. The reporting date of the Commission is extended to July 31, 1970.

BOW AMENDMENT

I am happy to report that the House receded from its disagreement to Senate amendment No. 11 and agreed to the same. Senate amendment 11 struck out, in its entirety, section 502—the Bow amendment—which would have limited aggregate expenditures in the bill to not to exceed \$7,461,423,000.

Mr. President, this presentation touches on the very main items of the report. I ask unanimous consent that a table showing the 1968 appropriations, the 1969 budget estimates, the House and Senate action, and the conference action on the bill be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TITLE I—TREASURY DEPARTMENT

(In dollars)

Appropriation title	1968 appropriations	1969 estimates	House bill	Senate bill	Conference action	Conference action compared with—			
						1968 appropriations	1969 estimates	House	Senate
Office of the Secretary.....	7,015,000	7,780,000	7,688,000	7,668,000	7,668,000	+653,000	-112,000	-20,000	
Bureau of Accounts.....	34,500,000	42,999,000	42,999,000	42,999,000	42,999,000	+8,499,000			
Government losses in shipment (new item).....		500,000	400,000	400,000	400,000	+400,000	-100,000		
Bureau of Customs.....	89,361,000	98,215,000	97,700,000	97,700,000	97,700,000	+8,339,000	-515,000		
Bureau of Engraving and Printing (air conditioning of building) (new item).....		500,000	400,000	400,000	400,000	+400,000	-100,000		
Bureau of the Mint.....	14,000,000	15,020,000	14,200,000	14,200,000	14,200,000	+200,000	-820,000		
Bureau of Narcotics.....	6,565,000	8,985,000	8,985,000	8,985,000	8,985,000	+2,420,000			
Bureau of the Public Debt.....	54,748,000	56,987,000	56,900,000	56,900,000	56,900,000	+2,152,000	-87,000		
Internal Revenue Service:									
Salaries and expenses.....	19,960,000	21,967,000	21,700,000	21,630,000	21,630,000	+1,670,000	-337,000	-70,000	
Revenue accounting and processing.....	177,000,000	188,563,000	187,000,000	187,000,000	187,000,000	+10,000,000	-1,563,000		
Compliance.....	494,800,000	547,551,000	541,500,000	541,500,000	541,500,000	+46,700,000	-6,051,000		
Federal tax lien revolving fund.....	500,000					-500,000			
Total, Internal Revenue Service.....	692,260,000	758,081,000	750,200,000	750,130,000	750,130,000	+57,870,000	-7,951,000	-70,000	
Office of the Treasurer.....	6,588,000	6,878,000	6,878,000	6,878,000	6,878,000	+290,000			
U.S. Secret Service.....	16,850,000	19,871,000	19,300,000	21,300,000	20,900,000	+4,050,000	+1,029,000	+1,600,000	-400,000
Construction of Secret Service training facilities (new item).....		1,000,000	1,000,000	800,000	800,000	+800,000	-200,000	-200,000	
Total title I, Treasury Department, new budget (obligational) authority.....	921,887,000	1,016,816,000	1,006,650,000	1,008,360,000	1,007,960,000	+86,073,000	-8,856,000	+1,310,000	-400,000

II—POST OFFICE DEPARTMENT

Administration and regional operation.....	(103,450,000)	(123,802,000)	(119,000,000)	(119,000,000)	(119,000,000)	(+15,550,000)	(-4,802,000)		
Research, development, and engineering.....	(23,148,000)	(36,386,000)	(34,000,000)	(35,000,000)	(35,000,000)	(+11,852,000)	(-1,386,000)	(+1,000,000)	
Operations.....	(5,306,500,000)	(5,783,989,000)	(5,720,000,000)	(5,720,000,000)	(5,720,000,000)	(+413,500,000)	(-63,989,000)		
Language—5 percent transfer authority.....		Includes	Denies	Restores	Denies				
Transportation.....	(650,000,000)	(713,500,000)	(684,000,000)	(684,000,000)	(684,000,000)	(+34,000,000)	(-29,500,000)		
Building occupancy.....	(185,724,000)	(216,000,000)	(210,000,000)	(210,000,000)	(210,000,000)	(+24,276,000)	(-6,000,000)		
Supplies and services.....	(89,276,000)	(110,781,000)	(110,000,000)	(110,000,000)	(110,000,000)	(+20,724,000)	(-781,000)		
Plant and equipment.....	(195,000,000)	(225,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(+5,000,000)	(-25,000,000)		
Postal public buildings.....	(50,000,000)	(88,252,000)	(50,000,000)	(50,000,000)	(50,000,000)		(-38,252,000)		
Total, authorizations out of postal fund.....	(6,603,098,000)	(7,297,710,000)	(7,127,000,000)	(7,128,000,000)	(7,128,000,000)	(+524,902,000)	(-169,710,000)	(+1,000,000)	
Less net revenues (as estimated in 1969 budget).....	(-5,642,090,000)	(-6,377,824,000)	(-6,377,824,000)	(-6,377,824,000)	(-6,377,824,000)	(-735,734,000)			
Total, title II, Post Office Department, new budget (obligational) authority (indefinite).....	1,961,008,000	1,919,886,000	1,749,176,000	1,750,176,000	1,750,176,000	-210,832,000	-169,710,000	+1,000,000	

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

Compensation of the President.....	150,000	150,000	150,000	150,000	150,000		
The White House Office.....	3,009,000	3,229,000	3,229,000	3,229,000	3,229,000	+220,000	
Special projects.....	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000		
Operating expenses, Executive Mansion.....	708,000	823,000	823,000	823,000	823,000	+115,000	
Bureau of the Budget.....	9,500,000	10,310,000	10,000,000	10,000,000	10,000,000	+500,000	-310,000
Council of Economic Advisers.....	858,000	1,236,000	880,000	880,000	880,000	+22,000	-356,000
National Security Council.....	664,000	664,000	664,000	664,000	664,000		
Emergency fund for the President.....	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000		
Expenses of management improvement.....	350,000	350,000	350,000	350,000	350,000		
Total, title III, Executive Office of the President, new budget (obligational) authority.....	17,739,000	19,262,000	18,596,000	18,596,000	18,596,000	+857,000	-666,000

TITLE IV—INDEPENDENT AGENCIES

Administrative Conference of the United States (new item).....		250,000	125,000	250,000	250,000	+250,000	+125,000
Advisory Commission on Intergovernmental Relations.....	510,000	551,000	551,000	551,000	551,000	+41,000	
Commission on Obscenity and Pornography (new item).....		643,000	225,000	643,000	643,000	+643,000	+418,000
Tax Court of the United States.....	2,407,000	2,477,000	2,477,000	2,477,000	2,477,000	+70,000	
Total, title IV, independent agencies, new budget (obligational) authority.....	2,917,000	3,921,000	3,378,000	3,921,000	3,921,000	+1,004,000	+543,000

TOTAL, TITLES I, II, III, AND IV

Grand total, titles I, II, III, and IV, new budget (obligational) authority.....	1,903,551,000	1,959,885,000	1,777,800,000	1,781,053,000	1,780,653,000	-122,898,000	-179,232,000	+2,853,000	-400,000
Consisting of—									
Appropriations (definite).....	942,543,000	1,039,999,000	1,028,624,000	1,030,877,000	1,030,477,000	+87,934,000	-9,522,000	+1,853,000	-400,000
Appropriations (indefinite).....	961,008,000	919,886,000	749,176,000	750,176,000	750,176,000	-210,832,000	-169,710,000	+1,000,000	
Memoranda—									
Grand total, titles I, III, and IV, new budget (obligational) authority and title II, authorizations out of the postal fund.....	(7,545,641,000)	(8,337,709,000)	(8,155,624,000)	(8,158,877,000)	(8,158,477,000)	(+612,836,000)	(-179,232,000)	(+2,853,000)	-400,000

TITLE V—GENERAL PROVISIONS

Language (Bow amendment) ¹		Language ²	Deletes	Deletes
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¹ Indefinite, because it represents the difference between specific appropriations on use of the postal fund and estimated postal revenues.

² S. Doc. 80, dated May 24, 1968, revised original budget estimate of \$886,000 to \$1,236,000.

³ Language places overall expenditure limitation of not to exceed \$7,461,423,000 for fiscal 1969.

Mr. MONRONEY. Mr. President, I hope that the Senate will be willing to accept the conference report.

Mr. CARLSON. Mr. President, I wish to commend the distinguished Senator from Oklahoma for bringing back to the Senate what I believe to be a greatly improved conference report on the appropriations for the Departments of the Treasury and the Post Office. When we realize that the Post Office handles more than 82 billion pieces of mail a year, it is essential that they be provided with the necessary funds with which to operate. I feel that this is an excellent conference report. I heartily recommend its adoption.

Mr. MONRONEY. I thank the Senator from Kansas.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand adjourned until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 59 minutes p.m.) the Senate

adjourned, in accordance with the previous order, until tomorrow, Thursday, June 13, 1968, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate June 12, 1968:

POSTMASTERS

The following-named persons to be postmasters:

CALIFORNIA

Vern T. Conner, Dixon, Calif., in place of J. R. Kilkenny, retired.
Betty N. Raines, Macdoel, Calif., in place of V. C. Gilmer, retired.

FLORIDA

Rowena S. Eubanks, Bristol, Fla., in place of Alma Shuler, retired.
Ralph H. Finke, Indian Rocks Beach, Fla., in place of F. C. Brandon, retired.

GEORGIA

James D. Tarver, Jr., Wadley, Ga., in place of D. K. Whigham, retired.

ILLINOIS

Myrell E. Conn, Elizabethtown, Ill., in place of W. P. Hall, retired.

INDIANA

Charles E. Peffley, Bridgeton, Ind., in place of C. A. Peffley, deceased.
William S. Gehring, Lawrenceburg, Ind., in place of H. C. Engler, deceased.
Harold E. Renbarger, Wabash, Ind., in place of H. K. Sundheimer, retired.

IOWA

Esther V. Tow, Superior, Iowa, in place of V. G. Olson, retired.

KANSAS

Evelyn J. Rappard, Burlingame, Kans., in place of H. T. Stodard, retired.

KENTUCKY

Paul W. Holman, Glasgow, Ky., in place of Waldo Redman, retired.
Gladys R. Boling, Lackey, Ky., in place of M. M. Staley, retired.

LOUISIANA

Herman H. Nunez, Bell City, La., in place of Ferdinand Nunez, retired.

Louis O. Troxler, New Sarpy, La., in place of L. V. Linden, retired.

MARYLAND

Melvin G. Bussey, Glen Burnie, Md., in place of E. W. Rodgers, retired.

MICHIGAN

Joseph C. Bria, Bessemer, Mich., in place of J. B. Springhetti, retired.

Reuben R. Maki, Wakefield, Mich., in place of J. C. Bedell, retired.

MINNESOTA

Lowell J. DeBus, Welcome, Minn., in place of M. E. Aukofer, retired.

NEW MEXICO

John R. Robertson, Lordsburg, N. Mex., in place of D. A. McGhee, removed.

NEW YORK

Edward J. Dolan, Boonville, N.Y., in place of N. C. Hamblin, retired.

William H. Ferris, Carmel, N.Y., in place of T. M. Townsend, retired.

Michael J. Villani, Port Washington, N.Y., in place of W. R. Cumiskey, retired.

Ralph Vinchiarello, Wassaic, N.Y., in place of G. B. Limer, retired.

OHIO

Mabel M. Tobin, Chatfield, Ohio, in place of H. J. Kaib, retired.

Leonard W. Mueller, Grove City, Ohio, in place of D. R. Wyker, deceased.

Robert W. Weber, Shelby, Ohio, in place of C. W. Swanger, retired.

PENNSYLVANIA

Charles J. Hiler, Camp Hill, Pa., in place of W. A. Putt, retired.

Russel A. Rarig, Jr., Montandon, Pa., in place of J. B. Frederick, retired.

PUERTO RICO

Felix Rivera-Munoz, Naranjito, P.R., in place of Modesta Vega, retired.

TEXAS

Olan H. Wade, Cushing, Tex., in place of E. D. Beck, retired.

Conley C. Bradshaw, Silsbee, Tex., in place of L. A. Yankie, retired.

IN THE ARMY

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of 10 U.S.C., sections 3283 through 3294, and 3311:

To be majors

Hatch, Burton G., O709490.
Well, John D., O1925584.
Wenn, Kenneth L., O1879390.
Zahm, Ronald J., O1935737.

To be captains

Freeman, Carl L., O5405817.
Gillespie, Paul H., Jr., O5704507.
Holsinger, Donald M., O2316902.
Huntley, Jack R., O2313362.
Lanzl, Harold J., O4030920.
McGee, Albert P., O5404039.
Pinson, David L., O4046854.
Regel, Thomas J., O5402620.
Schabacker, Gary W., O5540016.
Scotti, Michael J., Jr., O2320472.
Taylor, John F., O5423397.

To be first lieutenants

Armenta, Hector, O5417075.
Ashley, Kenneth W., O5306525.
Bennett, Thomas B., Jr., O5417034.

Berggren, Tommy H., O5712520.

Blalock, Darrell N., O5311678.

Braswell, Leroy J., MR2318302.

Brossman, Gene F., O2332509.

Calder, Frederick V., O5710783.

Castleman, Jerry D., O5326376.

Chirichigno, Luis G., O2324524.

Dickson, Weldon W., O5320008.

Fournier, Joseph L. A., O5320300.

Ginder, Charles R., O5325091.

Griffith, Luther J., O5202767.

Gumbert, Terrence B., MN5417486.

Heckman, Aldred A., Jr., O5519645.

Hurwitz, Martin R., O5306185.

Hutchinson, Judith A., N2326662.

Keidel, Werner N., O5423505.

Kelleher, Robert M., O2325859.

Kral, Thomas E., MN2309140.

Krohn, John H. E., O2313811.

Malik, James J., Jr., O5413029.

Merk, Francis D., III, O5402772.

Montes, Juan A., O2325648.

Morhet, John A., O5321597.

Morris, Wayne S., MN2306971.

Page, Bertrand A., II, O5325472.

Peters, Donald L., O5313693.

Reynolds, Mack D., O5021949.

Riley, Melvin E., O5340072.

Riley, Patrick E., O5011078.

Schmalzried, Ronald D., O5535621.

Schmoker, Arthur W., MN2314722.

Sherburne, John R., O5414610.

Spinks, Thomas M., O5327385.

Spohn, David B., O5316530.

Sprouse, James V., Jr., O5313730.

Stober, Robert L., O5515753.

St. Peter, Norman L., O5013573.

Sylvester, Louis A. K., O5318649.

Taylor, John W., Jr., O5418035.

Thomas, Harry M. J., O5319654.

Van Horn, Frederick E., O5419333.

Venuto, Rocco C., O5017538.

Volk, Paul J., Jr., O5209408.

Wayne, Richard S., O5326105.

Weiss, James A., O5534717.

Whelan, Richard W., O5322476.

To be second lieutenants

Bertagnoli, Joseph J., O5713425.
Boyer, Robert F., O5520554.
Chellis, Allen R., O5329057.
Cochran, Frank H., O5421934.
Cuthertson, James, O5327036.
Day, Overton, O5243553.
Glisson, Henry T., O5332521.
Green, Richard S., O5329199.
Haas, Joseph R., O5340365.
Hurt, Robert D., O5422504.
Kent, Elizabeth N., L2331384.
Millikan, Erlend J., O5419805.
Moon, Donald R., O2323546.
Neary, Patrick H., O5328178.
Parker, James C., O5416902.
Peckinpaugh, Dennis, O5338130.
Perry, Eddie L., O5232864.
Schulze, Richard F., O5713665.
Simek, Joseph R., O5713992.
Stamper, Roy R., MN5541129.
Taylor, James A., O2326824.
Thomas Evert S., III, O5230077.
Todd, Albert T., O5332239.
Utecht, Kenneth J., Jr., O5537128.
Wadsworth, John L., O5244648.
Wheatley, Charles F., O5236516.
Yacovelli, Phillip R., O5324646.

The following-named distinguished military students for appointments in the Medical Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of title 10, U.S.C., sections 2106, 3283, 3284, and 3294:

Bardonnier, John N., O5220792.

Brown, Thomas L., O5319167.

Ellwood, Robert A., O5017502.

Farmer, Robert C., O5218050.

Iannone, Liberato A., O5017511.

Levi, James S., O5320617.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, U.S.C., sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

Andzik, Bernard M.	Long, John W.
Arias, Louis A.	Maciag, John W.
Bailey, Alton P.	Mackey, John G.
Begland, Robert R.	Malze, Craig T.
Blair, Joseph A.	McAninch, William J.
Brooks, Mack M., Jr.	McAuliffe, John F.
Brown, Wayne L.	McCormack, Thomas J.
Caggiano, Arthur W.	McDade, John H., Jr.
Callen, Paul J.	Minney, Elton D.
Carey, Stephen W.	Molesworth, John R.
Carroll, William J.	Morton, Kenneth B., Jr.
Chisholm, Roderick G., III	Mountain, Michael B.
Collins, William	Newberry, Dan A.
Corley, Lawrence L.	Pekny, William M.
Cully, Michael R.	Polley, James D., IV
Dickens, Ralph K., Jr.	Pratt, John B., II
Evenson, Michael K.	Rhodes, Danny L.
Everitt, William E., IV	Ritchie, James L., IV
Ewing, Earl P.	Rivers, Clarence
Fitzgerald, Michael J.	Runkle, Timothy D.
Gidej, Jaroslav	Russell, Jeffrey W.
Gramlich, Andrew F.	Sargent, Kenneth E.
Harpold, Philip A.	Sherman, Daniel N.
Healy, Raymond J.	Simons, David D.
Hubeck, Stephen J.	Sprinkle, Garland P.
Jacqmeil, William M.	Tamez, Garland P.
Jenkins, Richard W.	Veitch, Douglas S.
Karcher, Donald D.	Villavaso, Alfred G.
Kraus, Nelson H.	Wallace, Don W.
Lansdale, Geoffrey	Wohlfert, Kenneth F.
Lawrence, James W.	Zito, Alvin H.

The following-named scholarship student for appointment in the Regular Army of the United States in the grade of second lieutenant, under provisions of title 10, U.S.C., sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

Johnson, Alan J.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 12, 1968:

FEDERAL TRADE COMMISSION

A. Everette MacIntyre, of Virginia, to be a Federal Trade Commissioner for the term of 7 years from September 26, 1968.

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

The nominations beginning Hubert W. Keith, Jr., to be captain and ending Jimmy R. Eddlemon to be lieutenant (jg.), which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 27, 1968.

U.S. COAST GUARD

The nominations beginning Joseph J. O'Connell to be lieutenant and ending James M. Johnson to be chief warrant officer (W-2), which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 27, 1968.

HOUSE OF REPRESENTATIVES—Wednesday, June 12, 1968

The House met at 12 o'clock noon.
The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

O Lord, be gracious unto us; we have waited for Thee; be Thou our arm every morning, our salvation also in the time of trouble.—Isaiah 33: 2.

Eternal Father of our spirits, who hast created us with minds to seek truth, with hearts to feel love, and with wills to choose the right, we bow at the altar of Thy presence praying for the establishment of justice and peace and good will in our Nation and in our world.

Breathe into our hearts and into the hearts of our people the generosity and the genuineness of great and good living. Save us from unwholesome relationships, break down the walls that separate us, and let pettiness pass away as the power of Thy love comes to life within us.